The Owensboro Metropolitan Planning Commission met in regular session at 5:30 p.m. on Thursday, April 11, 2019, at City Hall, Commission Chambers, Owensboro, Kentucky, and the proceedings were as follows:

MEMBERS PRESENT:  Larry Moore, Chairman
Lewis Jean, Vice Chairman
Brian Howard, Director
Terra Knight, Attorney
Irvin Rogers
Beverly McEnroe
Manuel Ball
Fred Reeves
Larry Boswell
Jay Velotta

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CHAIRMAN:  I would like to call the April 11, 2019 Owensboro Metropolitan Planning Commission meeting to order. We start our meeting with a prayer and a pledge. That honor this month goes to our director Brian Howard.

(INVOCATION AND PLEDGE OF ALLEGIANCE.)

CHAIRMAN:  Thank you.

We have some guidelines that we ask that anyone wishing to speak tonight to please follow. If you want to speak on any of the issues before this commission, please go to the podium and be
sworn in by our attorney.

We ask that you direct all your questions to the chair; in turn, we'll try to find the answers for you.

We ask that you stay on topic, and we ask that you be respectful and polite. If you follow those, we'll have a nice, smooth meeting.

All the commissioners should have received a copy of the minutes. Anybody have any changes, questions, adjustment to those?

(NO RESPONSE)

CHAIRMAN: Seeing none the Chair is ready for a motion.

Commissioner Boswell.

MR. BOSWELL: I make a motion for approval of the minutes.

CHAIRMAN: Do we have a second?

MS. McENROE: Second.

CHAIRMAN: Second by Commissioner McEnroe.

All in favor of the motion please raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries.

We move into the public hearing under General Business.
Mr. Howard, you're up.

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GENERAL BUSINESS

PUBLIC HEARING

ITEM 3

Consider adoption of proposed text amendments to Article 3 of the Zoning Ordinance related to fence heights.

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

MS. EVANS: Melissa Evans.

(MELISSA EVANS SWORN BY ATTORNEY.)

MS. EVANS: The proposed revision to Article 3 to increase the maximum fence height in a side street yard and rear yard where corner residential lots are back to back and oriented so that rear and side yards abut. This increase is a frequent variance request to the Board of Adjustment which is typically approved; that's why we're bringing this before you all tonight as an amendment to the text of the zoning ordinance.

FINDINGS OF FACT:

The Staff recommends approval of the proposal text amendments to Article 3 because the proposal is in compliance with the community's adopted Comprehensive Plan. The findings supporting this recommendation follow:

Ohio Valley Reporting
(270) 683-7383
1. This amendment to Article 3 will help allocate wisely the use of land for various activities by encouraging sound land development policies; and

2. This amendment to Article 3 is an example of creating flexible zoning regulations for existing redeveloping neighborhoods.

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

CHAIRMAN: Thank you.

Anyone in the audience have any questions about that amendment?

(NO RESPONSE)

CHAIRMAN: Any of the commissioners have any questions about that amendment?

(NO RESPONSE)

CHAIRMAN: If not the Chair is ready for a motion.

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

CHAIRMAN: Do we have a second to that?

MS. McENROE: Second.

CHAIRMAN: Second by Mrs. McEnroe. All those in favor of the motion and the second please indicate by raising your right hand.
(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries.

ITEM 4

Consider adoption of proposed text amendments to Article 8 of the Zoning Ordinance related to amended and new land use listings; home occupation-accessory use, home occupation-conditionally permitted use, distillery/brewery, agriculture, horticulture or silviculture industries, solar energy systems, indoor individual storage and storage of distilled spirits.

MS. EVANS: The proposed text amendments include:

1. Separating home occupations into accessory and conditionally permitted uses in agriculture and residential zones as defined by the proposed definitions in Article 14.

2. Adding a note to the category of distillery/brewery to clarify when a conditional use permit is needed based on the classification of a hazardous use.

3. A new classification for agriculture, horticulture or silviculture industries to be conditionally permitted in A-R and A-U zones and the related criteria for a conditional use permit.

4. A new classification of Level 1, 2, and 3 Solar Energy Systems as related to the proposed amendments to Article 20 and the related criteria for a conditional use permit.
5. A new classification for indoor individual storage conditionally permitted in B-3 and B-4 zones and principally permitted in B-5, I-1 and I-2 zones, and the related criteria for a conditional use permit.


FINDINGS OF FACT

The Staff recommends approval of the proposed text amendments to Article 8 because the proposal is in compliance with the community's Comprehensive Plan. The findings supporting this recommendation follow:

1. These amendments to Article 8 will help maintain Daviess County as a viable economic unit;

2. These amendments to Article 8 will promote regional development to enhance economic benefits for citizens of Daviess County;

3. These amendments to Article 8 will promote a diversity of desirable industrial activities for a broad and stable economic base;

4. These amendments to Article 8 will accommodate all intensities of land use activity;

5. These amendments to Article 8 will encourage development of existing brownfields for new
uses;

6. These amendments to Article 8 allow agriculture and other natural resource uses wider reign to apply traditional production techniques;

7. These amendments to Article 8 will avoid the introduction of urban activities that would have a detrimental effect on residential activity, but allow some mixture of appropriate nonresidential uses;

8. These amendments to Article 8 will assure that nonresidential uses in the neighborhood - professional, business, industrial - have adequate space for future expansion and are designed so that their traffic, parking, noise, odors, etc. Do not conflict with residential uses;

9. These amendments to Article 8 will reserve the land in the Rural Service Area primarily for agricultural uses, other natural resource activities, and support uses that need to be near such activities;

10. These amendments to Article 8 will encourage the application of increased buffers where heavy industrial and coal mining uses may be located in close proximity to existing rural residences; and,

11. These amendments to Article 8 will encourage the use of alternative energy sources where economically and environmentally feasible.
We would like to enter the Staff Report into the record as Exhibit B.

CHAIRMAN: Thank you.

Anyone in the audience have any questions concerning those amendments?

(NO RESPONSE)

CHAIRMAN: Any commissioners have any questions concerning the amendment?

MR. REEVES: What is silviculture?

MR. HOWARD: Tree harvesting.

CHAIRMAN: Mr. Boswell, do you have one too?

MR. BOSWELL: Thank you, Mr. Chairman. Just more of a general question.

Under Item 58 for that particular conditional use there's an Item B that makes mention to the operation must not employ more than five persons. Was there any particular, what was the thought process around that particular item?

MR. HOWARD: This is allowing, this is for those in the audience and watching, this is the one dealing with the limited agricultural, horticulture, silviculture industries that could potentially be conditionally permitted in an A-R or an A-U zone.

The reason being that the intent is for this to be a business that would operate and utilizing, you
know, if you have an operation where you're harvesting trees, processing those you have sawdust or whatever left over. This will allow an industrial use, limited industrial then to maybe utilize that sawdust and then manufacture, use it for some purpose, but you're still in an agricultural zone. So the intent is that it's going to grow to the point that it's a huge business. That's when you really need to look at industrial zone at that point and not, you know, that might not be conducive in an agricultural zone.

MR. BOSWELL: Limiting it to just five persons?

MR. HOWARD: Right. That would be five nonresident, you know, non-people that lived on the farm, employees there, yes.

MR. BOSWELL: Thank you. Thank you.

CHAIRMAN: Any other questions?

(NO RESPONSE)

CHAIRMAN: Hearing none the chair is ready for a motion.

MR. JEAN: I would like to make a motion we approve this amendment based on the Staff Report and the 11 findings of fact.

CHAIRMAN: We have a motion. Do we have a second?
MR. BALL: Second.

CHAIRMAN: Second by Mr. Ball. All those in favor of the motion and the second please indicate by raising your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries.

ITEM 5

Consider adoption of proposed text amendments to Article 14 of the Zoning Ordinance related to definitions of distilled spirits, home occupation-accessory use, home occupation-conditionally permitted use, indoor individual storage and solar energy system.

MS. EVANS: The proposed revisions to Article 14 of the Owensboro Metropolitan Zoning Ordinance are related to the addition or revision of the following definitions:

Distilled spirits, home occupation-accessory use, home occupation-conditionally permitted use, indoor individual storage and solar energy system.

The proposed text amendments include:

1. New definition of “Distilled Spirits” as referred to in the proposed Article 8 text amendments.

2. Revised definition of "Home Occupation" to "Home Occupation-Accessory Use."

3. New definition of “Home Occupation-Conditionally Permitted Use” that will
allow for limited occupations in the home with
specific conditions as defined through a Conditional
Use Permit.

4. New definition of “Indoor Individual
Storage” as referred to in the proposed Article 8 text
amendments.

5. New definition of “Solar Energy System” as
referred to in the proposed Article 8 text amendments.

FINDINGS OF FACT

The Staff recommends approval of the proposed
text amendments to Article 14 because the proposal is
in compliance with the community’s Comprehensive Plan.
The findings supporting this recommendation follow:

1. These amendments to Article 14 will help
maintain Daviess County as a viable economic unit;

2. These amendments to Article 14 will
promote regional development to enhance economic
benefits for citizens of Daviess County;

3. These amendments to Article 14 will
endeavor to create policies for regulating land use
activities that are not overburdensome while still
protecting the public health, safety and welfare of
the community.

4. The amendments to Article 14 will
encourage the grouping of activities so that uses of
greater intensity (industrial or commercial) do not harm weaker types (residential and agricultural);

5. The amendments to Article 14 will encourage development of existing brownfields for new uses;

6. The amendments to Article 14 will encourage the use of alternative energy sources where economically and environmentally feasible.

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

CHAIRMAN: Thank you.

Anyone in the audience have any questions about the amendment?

(NO RESPONSE)

CHAIRMAN: Any commissioners have any questions?

(NO RESPONSE)

CHAIRMAN: Seeing none the Chair is ready for a motion.

Commissioner Ball.

MR. BALL: Make a motion to approve based on the Staff Recommendations and the Staff's Finding of Fact 1 through 6.

CHAIRMAN: Do we have a second?

MR. BOSWELL: Second.
CHAIRMAN: Second by Mr. Boswell. We have a motion and a second. All of those in favor please indicate by raising your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries.

ITEM 6

Consider adoption of proposed text amendments to Article 20 of the Zoning Ordinance related to small cellular systems and towers.

MS. EVANS: The proposed additions to Article 20 establish regulations for small cellular systems and towers consistent with FCC rulings and guidelines. This establishes small cellular towers, regulations for small cell towers in Daviess County. We've been approved by AT&T specifically about installing small cell towers in Daviess County. We didn't have regulations to address their installation other than to treat them as regular cell towers, which they're not. Those are located on utility poles and in close proximity to each other to provide service in gap areas where there isn't enough service, and to increase infrastructure to eventually lead to providing better technology for the community.

Since we have had meetings with AT&T and have been approached by them about doing this we had also sent the draft of our ordinance to them for some
comments and feedback.

We received their feedback after the Staff Report was prepared. They had several comments and suggestions. There were a few that we were open to accepting. The few that we, there are about four actually. They all pertain to instead of us saying in the requirement that such a structure or collocation shall be accommodated that it would be that it's encouraged for collocation to happen at a minimum of two. Their argument is that sometimes it's not technically feasible to do some of the things that we were asking.

The exact section of the ordinance that they had comments about were 20-9(b)(3), 20-9(c)(2), 20-9(c)(8) and 20-9(d)(7).

20-9(b)(3) was that it should be encouraged that new small towers are designed and constructed to accommodate multiple cell providers instead of that it should be required.

20-9(c)(2) for similar reasons. That it should be "reasonable efforts shall be made for the equipment to be camouflaged by Stealth Technology," because, again, their argument is that sometimes that's just not feasible to do because of the equipment that has to be placed.
20-9(c)(8) is that in placing new cell towers within residential areas, reasonable efforts will be made to avoid obstructing the view of buildings facades and placing the towers at the corner, intersection along the lot line where we had that "they shall be placed to avoid obstruction." Again, specifically with that one they were telling us in the meeting that if they moved the towers even by a few feet it could really throw off the coverage area that they get out of them. So moving them to not obstruct a building facade would not work necessarily in some of these situations because then it would defeat the whole purpose and they wouldn't be able to provide the coverage that they needed to.

Then the last one that they recommended that we are open to accepting was that reasonable efforts shall be made to utilize cylindrical antennas where we had that it would be required to use cylindrical antennas.

We are open to those comments that they had, and including those in our text. You all are open to those, you'll just need to include that with your motion.

FINDINGS OF FACT

The Staff recommends approval of the proposed
text amendments to Article 20 because the proposal is
in compliance with the community’s Comprehensive Plan.
The findings supporting this recommendation follow:

1. These additions to Article 20 help
   Maintain Daviess County as a viable economic unit;

2. These additions to Article 20 assist in
   promoting access to new technologies as an aid to
   economic development;

3. These additions to Article 20 assist to
   maintain, preserve and extend the high level of
   service to each of our public service agencies;

4. These additions to Article 20 provide our
   citizens with access to efficient and affordable
   telecommunications systems;

5. These additions to Article 20 accommodate
   both wired and wireless communications;

6. These additions to Article 20 encourage
   co-location of cellular and other telecommunications
   facilities to minimize the number of
   telecommunications towers; and,

7. These additions to Article 20 ensure local
   telecommunications regulations are easily adaptable to
   accommodate the rapidly changing technology of the
   telecommunication industry.

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

CHAIRMAN: Thank you.

Anyone in the audience have any questions about the amendments?

(NO RESPONSE)

CHAIRMAN: Any of the commissioners?

(NO RESPONSE)

CHAIRMAN: Whoever makes this motion they have to put in those conditions that were read?

MR. HOWARD: Yes. We would just request that the motion be made subject to the suggested changes that Mrs. Evans read into the record.

CHAIRMAN: Okay. So the chair is ready for a motion.

MR. REEVES: Motion to approve based on the Staff Findings of Fact 1 through 7, and also that they have the discretion to amend the text regarding the cell tower as was in Ms. Evan's report and at AT&T's request.

CHAIRMAN: Thank you. We have a motion. Do we have second?

MR. ROGERS: Second.

CHAIRMAN: Second by Commissioners Rogers.

All those in favor of the motion and the second please indicate by raising your right hand.
ITEM 7

Consider adoption of proposed text amendments to Article 22 of the Zoning Ordinance related to the addition of the Near Downtown Parking Overlay District

MS. EVANS: The proposed additions to Article 22 create a Near Downtown Parking Overlay District in which on-street parking may be allowed by a conditional use permit for the conversion of single-family residential structures to multi-family residential structures or construction of new multi-family residential structures on vacant lots within the district. The boundary of the proposed Near Downtown Parking Overlay District consists of the area surrounding the Downtown Overlay District including adjacent public street rights-of-way, bound by Orchard Street, Parrish Avenue, and Center Street.

This particular amendment is hopefully to address concerns where you may run into, like we said, converting a single-family home to a multi-family home, but they're limited in doing that because there's not area on the property to provide on-site parking. So this would allow with a conditional use permit and specific findings that the Board of Adjustment may require in a traffic analysis or
Traffic Impact Study that would show that parking is available in the vicinity; it would allow that and alleviate one of those hurdles in converting the single-family home to a multi-family home, and hopefully provide more housing and increase housing in the downtown area where it is needed to help promote the Downtown Overlay District.

FINDINGS OF FACT

The Staff recommends approval of the proposed text amendments to Article 22 because the proposal is in compliance with the community’s Comprehensive Plan. The findings supporting this recommendation follow:

1. These additions to Article 22 help Maintain Daviess County as a viable economic unit;

2. These additions to Article 22 assist in using the fixed amount of land in Daviess County as wisely and sparingly as possible;

3. These additions to Article 22 assist in accommodating all intensities of land use activity;

4. These additions to Article 22 help to maintain and improve the quality of existing urban neighborhoods through building maintenance, rehabilitation, and compatible replacement, and through improvement of community facilities and services;
5. These additions to Article 22 encourage in-fill development that maximizes the efficiency of existing infrastructure and is designed to be compatible with adjoining land uses;

6. These additions to Article 22 assure that a wide variety of types of housing suitable to a wide range of people;

7. These additions to Article 22 encourage single-family, duplex and apartment buildings in the same neighborhood as long as the designs for the different housing types blend will within the neighborhood;

8. These additions to Article 22 assist to stimulate rehabilitation of existing housing;

9. These additions to Article 22 assist to increase the inner-city housing density;

10. These additions to Article 22 assist to preserve existing housing and neighborhoods.

11. These additions to Article 22 are an example of flexible zoning criteria for existing redeveloping neighborhoods as encouraged by the Comprehensive Plan;

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

CHAIRMAN: Thank you.
Anyone in the audience have any questions about the amendment?  
(NO RESPONSE)  
CHAIRMAN: Any commissioners?  
(NO RESPONSE)  
CHAIRMAN: Seeing none I'm ready for a motion.  
Mr. Boswell.  
MR. BOSWELL: Thank you, Mr. Chairman. I make a motion for approval based on the Staff Report and Findings of Fact 1 through 11.  
CHAIRMAN: We have a motion. Do we have a second?  
MR. JEAN: Second.  
CHAIRMAN: Second by Commissioner Jean. All those in favor of the motion and the second please indicate by raising your right hand.  
(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)  
CHAIRMAN: Motion carries.  

ITEM 8  
Consider adoption of revisions to Chapter 5 of the Public Improvement Specifications related to updated sanitary sewer exhibits  
MR. HOWARD: There are exhibit updates that are part are your packet. These were reviewed by Public Improvement Specification meeting at our last meeting that was...
held at the end of last year. We get together every year and go over surety updates and that type of thing.

RWRA had a couple of items that they wanted to address and the diagrams are within the documents. You can see those changes here on the two or three things that we have.

Mr. Ball is a developer and was at the meeting and is part of the people that this will impact. They were pretty straightforward changes; adding some more rock around manholes, when manholes are being placed and that type of thing is really what we're looking at here.

It's not a big deal, but we do need an approval from all to update these documents within the Public Improvement Specification.

CHAIRMAN: Thank you.

Anyone in the audience have any questions?

(NO RESPONSE)

CHAIRMAN: Any commissioners have any questions?

Mr. Ball.

MR. BALL: I don't have a question, but just to relay everything here on the commission. I believe these changes that were made here are changes that are
currently being required now in the field. They're just making changes to the notes to reflect what they're actually requiring in the field. No real changes in the field.

CHAIRMAN: Thank you very much.

Any other commissioners?

(NO RESPONSE)

CHAIRMAN: Seeing none the chair is ready for a motion.

Commissioner Ball.

MR. BALL: I would like to make a motion to approve.

CHAIRMAN: Do we have a second?

MR. JEAN: Second.

CHAIRMAN: Second by Commissioner Jean. All those in favor of the motion and the second please indicate by raising your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries.

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 this meeting along with all applicable materials to the appropriate legislative body for them to take final cation.
ZONING CHANGES

ITEM 9

1121 Moseley Street, 1.46 acres
Consider zoning change: From B-4 General Business to I-1 Light Industrial
Applicant: Hayden Development Co., LLC

PLANNING STAFF RECOMMENDATION

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

CONDITION

Access to East Parrish Avenue shall be limited to the location of the previously closed alley as shown on the minor subdivision plat approved 10/30/14. No additional access points to East Parrish Avenue 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 an Industrial Plan Area where light industrial uses are appropriate in general locations;
3. The proposed use as a shop for contractor sales conforms to the criteria for nonresidential development;
4. The proposal is a logical expansion of
existing I-1 Light Industrial zoning to the north, south and east; and,

5. At 1.546 acres, the proposal will not significantly increase the extent of I-1 zoning in the vicinity and 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 F.

CHAIRMAN: Thank you.

Anyone in the audience have any issues with this zoning change?

(NO RESPONSE)

CHAIRMAN: Any commissioners have any questions concerning this zoning change?

(NO RESPONSE)

CHAIRMAN: Seeing none the Chair is ready for a motion.

Commissioner Boswell.

MR. BOSWELL: Thank you, Mr. Chairman.

I make motion for approval based on the Staff Report and Condition as stated in the Staff Report Recommendations and the Findings of Fact 1 through 5.

CHAIRMAN: We have a motion. Do we have a second?
MR. BALL: Second.

CHAIRMAN: Second by Commissioner Ball. All those in favor of the motion and the second please indicate by raising your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries.

ITEM 10

Portion of 27 Stone Creek Park, 0.214 acres
Consider zoning change: From R-1A Single-Family Residential to A-U Urban Agriculture
Applicant: Kishor Vora

PLANNING STAFF RECOMMENDATION

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

CONDITIONS

The 0.214 acre portion of the subject property shall be consolidated with the 171 acre farm to the east.

FINDINGS OF FACT

1. Staff recommends approval because the proposed A-U Urban Agriculture zoning is more appropriate than the current R-1A Single Family Residential zone;

2. The 0.214 acre portion of the subject property will be consolidated with the adjoining 171 acre farm to the east;
3. The proposed zoning change and subsequent consolidation will allow the property owner of the 171 acre farm to the east full access around the lake on the farm; and,

4. The request is an expansion of existing A-U zoning to the north, south and east.

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

CHAIRMAN: Thank you.

Anyone in the audience representing this applicant?

(NO RESPONSE)

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

(NO RESPONSE)

CHAIRMAN: Any commissioners have any questions?

(NO RESPONSE)

CHAIRMAN: If not the chair is ready for a motion.

MR. ROGERS: Mr. Chairman, I make a motion for approval based on Planning Staff Recommendation with the one condition and Findings of Fact 1 through 4.

CHAIRMAN: We have a motion. Do we have a second?
MS. McENROE: Second.

CHAIRMAN: Second by Commissioner McEnroe.

All those in favor of the motion and second please indicate by raising your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries.

ITEM 11

3636, 3656 Highway 54, 3.63 acres
Consider zoning change: From R-1A Single-Family Residential and A-U Urban Agriculture to B-4 General Business

Applicant: Estate of J. Ann Owen; Executrix Jennifer Millay

PLANNING STAFF RECOMMENDATIONS

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

CONDITIONS

1. Based on a proposed use and results of a potential traffic impact study, access to Highway 54 shall be limited to a single access in alignment with the commercial drive across Highway 54 and subject to review and approval by the KYTC and OMPC;

2. Ingress/Egress easements shall be provided for the properties to the east and west of the subject property for future indirect access to Highway 54; and

3. Submission of a final development plan to establish the location of the ingress/egress easements
to the adjoining properties and all other site
development requirements required by the zoning
ordinance.

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 Business 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 north,
across Highway 54 and to the west; and,

4. At 3.63 acres, the proposal does not significantly increase the extent of general business
zoning in the vicinity; and,

5. With access limited to a single access point in alignment the commercial access across
Highway 54, based on a proposed use and review of a traffic impact study if needed, the proposal should
not overburden the capacity of roadways and other necessary urban services that are available in the
affected area.

We would like to enter the Staff Report into the record as Exhibit H.
CHAIRMAN: Thank you.

Anyone in the audience representing the applicant?

APPLICANT REP: Yes.

CHAIRMAN: Do you wish to speak?

APPLICANT REP: I'm available if you have any questions.

CHAIRMAN: Thank you very much.

Any commissioners have any questions concerning the application?

(NO RESPONSE)

CHAIRMAN: Seeing none the chair is ready for a motion.

Commissioner Reeves.

MR. REEVES: Motion to approve this application based on Staff Findings of Fact 1 through 5 with Conditions 1 through 3.

CHAIRMAN: We have a motion. Do we have a second?

MR. JEAN: Second.

CHAIRMAN: Second by Commissioner Jean. We have a motion and a second. All in favor please indicate by raising your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries.
ITEM 12

7171 Highway 762, 16.57 acres
Consider zoning change: From R-1A Single-Family Residential and A-R Rural Agriculture to A-R Rural Agriculture
Applicant: David Samuel Alsip

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 large-lot residential uses are appropriate in limited locations;

3. Each dwelling will be located on its own individual lot that fronts on a public road, Highway 762; and

4. No new roads will be created.

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

CHAIRMAN: Thank you.

Anyone in the audience representing the applicant?

APPLICANT REP: Yes.

CHAIRMAN: Do you wish to speak?
APPLICANT REP: I'm here to answer any questions.

CHAIRMAN: Thank you, sir. Any commissioners have any questions concerning the application?

(NO RESPONSE)

CHAIRMAN: If not the chair is ready for a motion.

MR. BALL: I would like to make a motion to approve based on Planning Staff Recommendation and Findings of Fact 1 through 4.

CHAIRMAN: We have a motion for approval. Do we have a second?

MS. McENROE: Second.

CHAIRMAN: Second by Commissioner McEnroe. All those in favor indicate by raising your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries.

RELATED ITEM

ITEM 12A

7171 & 7181 Highway 762, 16.57 acres Consider approval of a minor subdivision plat. Applicant: Patricia A. Alsip & David Samuel Alsip

MR. HOWARD: This plat comes before you as an exception to the 3 to 1 requirements. They're
creating a long narrow strip that goes back to an area where they would like to build a house. There is a notation on the plat that limits this and the parent tract to no further subdivision without meeting the requirements of the subdivision regulations. So any future lot that would come out of the parent tract would have to meet subdivision and zoning ordinance requirements on the size, shape, road frontage, all of that. This parcel, the newly created 1.921 acre parcel it cannot be further subdivided based on the acreage.

So we would recommend that you consider for approval with those conditions put on the plat.

CHAIRMAN: Thank you.

Again, Mr. Alsip, you're available for any questions. Thank you.

Any commissioners have any questions concerning the plat?

(NO RESPONSE)

CHAIRMAN: Seeing none the chair is ready for a motion.

Commissioner Boswell.

MR. BOSWELL: Thank you, Mr. Chairman. Make a motion for approval.

CHAIRMAN: We have a motion. Do we have a
second?

MR. JEAN: Second.

CHAIRMAN: Second by Commissioner Jean. All those in favor indicate by raising your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries.

MAJOR SUBDIVISION PRELIMINARY PLATS

ITEM 13

Daviess County Public Schools, 26.029 acres

MR. HOWARD: We received a request this afternoon to have this item postponed until the next regularly scheduled meeting which will be May 2nd, I believe, but you will need take action to postpone it, please.

CHAIRMAN: Need a motion.

MR. JEAN: Motion to postpone.

MS. McENROE: Second.

CHAIRMAN: Motion to postpone and second by Commissioner McEnroe. All those in favor please indicate by raising your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries.

MINOR SUBDIVISION PLATS

ITEM 14

3355, 3361 London Pike, 12.466 acres
Consider approval of a minor subdivision plat
MR. HOWARD: This plat comes before you as an exception to the road frontage requirements. You have a 10-acre parcel which meets the 50 foot frontage requirement and the ag division requirements, but the 2.448 acre parcel doesn't have the minimum road frontage as required by the zoning ordinance and subdivision regulations so it comes before you as an exception.

As with the last plat there is a notation that we request in this plat that we limit no further subdivision of these parcels without meeting the subdivision regulations, and possibly based on the limited amount of road frontage that both of these parcels have. Any future subdivision would require the construction of a public street of some sort to provide road frontage.

So we would request that you consider this one for approval with those notations on the plat.

CHAIRMAN: Thank you.

Anyone in the audience representing the applicant?

APPLICANT REP: I can answer any questions you have.

CHAIRMAN: Thank you very much.
Any commissioners have any questions?

(NO RESPONSE)

CHAIRMAN: If not the chairman is ready for a motion.

MR. BALL: Motion to approve.

MR. REEVES: Second.

CHAIRMAN: Motion to approve and second by Commissioner Reeves. All those in favor indicate by raising your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries.

ITEM 15

6656, 6684 Highway 144, 27.105 acres
Consider approval of a minor subdivision plat
Applicant: Robert A. & Krystal D. Jackson; Robert T. Elliott, Scott J. Elliott, Felicia L. Elliott

MR. HOWARD: This plat comes before you as an exception. They're taking some existing parcels and refiguring lot lines which brings one of them out of compliance that was in, but they're really not making the situation any worse. They're not maximizing the numbers of the lot. So we would request that you consider it for approval.

CHAIRMAN: Anyone in the audience representing the applicant?

(NO RESPONSE)
CHAIRMAN: Any commissioners have any questions?

(NO RESPONSE)

CHAIRMAN: If not the chair is ready for motion.

Mr. Boswell.

MR. BOSWELL: Thank you Mr. Chairman. Motion for approval.

CHAIRMAN: We have a motion. Do we have a second?

MS. McENROE: Second.

CHAIRMAN: Second by Commissioner McEnroe.

All those in favor indicate by raising your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries.

NEW BUSINESS

ITEM 16

Consider approval of February 2019 financial Statement

CHAIRMAN: I think all the commissioners have received the financial statement for February. I hope you've had an opportunity to take a look at it. Any commissioners have any concerns, question, changes?

(NO RESPONSE)
CHAIRMAN: If not the chair is ready for a
motion.

Mr. Reeves.

MR. REEVES: Motion to approve.

CHAIRMAN: Do we have a second?

MS. McENROE: Second.

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries.

ITEM 17

Comments by the Chairman.

CHAIRMAN: The chairman has none.

ITEM 18

Comments by the Planning Commissioners

CHAIRMAN: Anyone?

(NO RESPONSE)

ITEM 19

Comments by the Director

MR. HOWARD: I have no comments.

CHAIRMAN: We need one final motion.

MR. BALL: Motion to adjourn.

MR. VELOTTA: Second.

CHAIRMAN: Second by Mr. Velotta. All in
favor raise you right hand.
(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: We are adjourned.

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STATE OF KENTUCKY )
     ) SS: REPORTER'S CERTIFICATE
COUNTY OF DAVIESS )

I, LYNETTE KOLLER FUCHS, Notary Public in and for the State of Kentucky at Large, do hereby certify that the foregoing Owensboro Metropolitan Planning Commission meeting was held at the time and place as stated in the caption to the foregoing proceedings; that each person commenting on issues under discussion were duly sworn before testifying; that the Board members present were as stated in the caption; that said proceedings were taken by me in stenotype and electronically recorded and was thereafter, by me, accurately and correctly transcribed into foregoing 39 typewritten pages; and that no signature was requested to the foregoing transcript.

WITNESS my hand and notary seal on this the 30th day of May, 2019.

LYNETTE KOLLER FUCHS
NOTARY ID 613522
OHIO VALLEY REPORTING SERVICES
2200 E. PARRISH AVE, SUITE 106E
OWENSBORO, KY 42303

COMMISSION EXPIRES: DECEMBER 16, 2022
COUNTY OF RESIDENCE: DAVIESS COUNTY, KY