The Owensboro Metropolitan Planning Commission met in regular session at 5:30 p.m. on Thursday, July 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

CHAIRMAN: I would like to call the July Owensboro Metropolitan Planning Commission meeting to order. We usually start our meetings with a prayer and pledge. That honor this month to goes to our board attorney, Terra Knight.

(INVOCATION AND PLEDGE OF ALLEGIANCE.)

CHAIRMAN: Thank you. In order to have a nice smooth meeting, we have some guidelines that we ask everyone to please follow.

If you want to speak on any of the issues that come before this commission, come to one of the podiums and be sworn in by our attorney.

Ohio Valley Reporting
(270) 683-7383
We ask that you direct all of your questions to the chair who in turn will try to find those answers for you. We ask that you stay on topic. Finally, we ask that you be respectful. Follow all of those and we'll have a nice smooth meeting.

First item on the agenda will be the minutes from last month's meeting. All the commissioners should have received a copy and have had an opportunity to look those over. Any changes or adjustments to those?

(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 the minutes.

CHAIRMAN: Motion to approve. 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.

Mr. Howard.
MR. HOWARD: I will note that the zoning changes heard tonight will become final in 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 action.

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

GENERAL BUSINESS

ZONING CHANGES

ITEM 3

722 Harvard Drive, 0.56 acres
Consider zoning change: From R-3MF Multi-Family Residential to B-4 General Business
Applicant: Johnson Ventures, LLC

MS. KNIGHT: Mr. Pedley, you're previously sworn and is still under oath.

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 Professional/Service Plan Area where general business
uses are appropriate in very limited locations;

3. The proposed use of a dental office and preschool conform to the criteria for nonresidential development;

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

5. At 0.55 acres, the proposal does not significantly increase the extent of general business zoning in the vicinity and should not 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 A.

CHAIRMAN: Thank you.

Is anyone here representing the applicant?

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

MR. JOHNSON: My name is Andrew Johnson, I'm the attorney for the applicant who's also here, but unless there's questions I don't anticipate he'll testify.

Do you need to swear me in.

MS. KNIGHT: You're sworn as an attorney.

MR. JOHNSON: I'm also a minority stakeholder
in the entity as well.

I don't have anything to add except to state that the building that we're talking about was built in 1979. I know that the dental office that's been there has been there for some time. I'm not going to state the exact number of years because I don't exactly know, but it's been there at least since I was in middle school. I don't think that we're fundamentally changing much of anything. I think the Staff recommendations reflect that as well.

I do want to entertain any questions or answer any questions that the commissioners may have.

CHAIRMAN: Thank you, sir.

Anyone in the audience have any questions of the applicant?

(NO RESPONSE)

CHAIRMAN: Any commissioners have any questions concerning the application?

(NO RESPONSE)

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

Commissioner Boswell.

MR. BOSWELL: Thank you, Mr. Chairman. I move for approval of the application based on the Staff Recommendations and the Findings of Fact 1 through 5.
CHAIRMAN: We have a motion. Do we have a second?

MR. ROGERS: Second.

CHAIRMAN: Second by Commissioner Rogers. Any questions concerning the motion or the second?

(NO RESPONSE)

CHAIRMAN: Seeing none the chair is ready for a vote. All those in favor indicate by raising your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries.

ITEM 4

5400 Highway 56, 13.509 acres
Consider zoning change: From A-R Rural Agriculture to R-1A Single-Family Residential
Applicant: O'Bryan Development, Inc.

PLANNING STAFF RECOMMENDATION

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

CONDITION

1. No individual lots shall have direct access to Highway 56.

FINDINGS OF FACT

1. Staff recommends approval because the proposal is in compliance with the community’s adopted Comprehensive Plan;
2. The subject property is located in an Urban Residential Plan Area where Urban Low-density Residential uses are appropriate in limited locations; 3. The proposed use as a residential subdivision complies with the criteria for urban residential development; and 4. Sanitary sewer service is available to be extended to the subject property.

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

CHAIRMAN: Thank you.

Anyone in the audience representing the applicant?

APPLICANT REP: Yes.

CHAIRMAN: Are there any questions or comments?

APPLICANT REP: No.

CHAIRMAN: Any commissioners have any questions or comments?

Commissioner Boswell.

MR. BOSWELL: Thank you, Mr. Chairman. Just maybe a clarification question. I notice in the Staff Report that there's a mention to develop 41 single-family residential lots, but in the Type 1 or Type 2 findings, in the overview there's a mention of
plus or minus 40. Is there actually going to be 41 or just 40?

MR. HOWARD: According to the preliminary plat, final development plan that is the related item that we'll here next, the site statistic indicates 41 lots.

MR. BOSWELL: Thank you, Mr. Howard.

CHAIRMAN: Now, any other questions?

(NO RESPONSE)

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

Commissioner Jean.

MR. JEAN: Make a motion we approve based on the Findings of Fact 1 through 4 and Condition Number 1.

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

MS. McENROE: Second.

CHAIRMAN: Second by Commissioner McEnroe.

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries.

RELATED ITEM

ITEM 4A
Whispering Meadows, Section 5, 13.5 acres
Consider approval of a combined final development
plan/major subdivision preliminary plat.
Applicant:  O'Bryan Development, Inc.

MR. HOWARD:  This plat has been reviewed by
the Planning Staff and Engineering Staff and it's
found to be in order.  It meets the requirements of
the underlying zoning classification, which was just
approved, and it is ready for your consideration for
approval.

CHAIRMAN:  Thank you.

Anyone in the audience besides the two that's
here?

(NO RESPONSE)

CHAIRMAN:  Any questions from the
commissioners?

(NO RESPONSE)

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

MR. REEVES:  Motion to approve the
application.

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

MR. BOSWELL:  Second.

CHAIRMAN:  Second by Commissioner Boswell.

All those in favor indicate by raising your right
hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries.

MINOR SUBDIVISION PLATS

ITEM 5

9010, 9024 Short Station Road, 3.634 acres
Consider approval of a minor subdivision plat.
Applicant: Ralph & Donna Scott

MR. HOWARD: This plat comes before you as an except to the 3 to 1 requirement. There's nearly 4 acres, 3 1/2 acre parcel there. They're proposing a division which will take the long portion on the back and to add road frontage to it to allow for a second parcel that could be potentially built upon. This is -- we have notations on here that the property can't be further subdivided without meeting the requirements based on the amount of road frontage and acreage for both of these parcels. There can be no further subdivision of either without a public street being built and other things. So this is really the maximum that could potentially happen, as far as lot divisions go for this combination of parcels. So with that we would recommend that you consider it for approval.

CHAIRMAN: Anyone in the audience representing the applicant?
APPLICANT REP: Yes.

CHAIRMAN: Any statement or anything?

APPLICANT REP: No.

CHAIRMAN: Any commissioners?

(NO RESPONSE)

CHAIRMAN: Chair is ready for a motion.

Mr. Rogers.

MR. ROGERS: Mr. Chairman, I make a motion for approval for this plat with the note attached to it.

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

MR. REEVES: Second.

CHAIRMAN: Second by Commissioner Reeves. Any questions about the motion or the second?

(NO RESPONSE)

CHAIRMAN: Seeing none the chair is ready for a vote. All those in favor indicate by raising your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries.

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

NEW BUSINESS

ITEM 6

Consider approval of May 2019 financial statement

CHAIRMAN: All the commissioners should have
received a copy of the May financial statements and
have had an opportunity to take a look at those. Any
commissioners have any questions or changes or
cconcerns about the financial statement?
(NO RESPONSE)

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

Commissioner Ball.

MR. BALL: I make a motion to approve the
financial statement.

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

MR. BOSWELL: Second.

CHAIRMAN: Second by Commissioner Boswell.

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 7
Comments by the Chairman

CHAIRMAN: I have none.

ITEM 8
Comments by the Planning Commission
(NO RESPONSE)

ITEM 9

Ohio Valley Reporting
(270) 683-7383
Comments by the Director

MR. HOWARD: No thanks.

CHAIRMAN: Then we have one final motion.

MR. BALL: Motion to adjourn.

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

MS. McENROE: Second.

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: We are adjourned.

----------------------------------------------
STATE OF KENTUCKY )
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 13
typewritten pages; and that no signature was requested
to the foregoing transcript.

WITNESS my hand and notary seal on this the
1st day of August, 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

Ohio Valley Reporting
(270) 683-7383