The Owensboro Metropolitan Planning Commission met in regular session at 5:30 p.m. on Thursday, December 12, 2019, at City Hall, Commission Chambers, Owensboro, Kentucky, and the proceedings were as follows:

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

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CHAIRMAN: I would like to call the December 12th Owensboro Metropolitan Planning Commission meeting to order. We usually start our meetings with a prayer and pledge. Would you please stand.

(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.
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.

All the commissioners should have received the minutes from last month's meeting. Does anyone have any questions or concerns about those.

(NO RESPONSE)

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

Mr. Ball.

MR. BALL: Motion to approve the minutes.

CHAIRMAN: Motion to approve. Do we have a second?

MS. McENROE: Second.

CHAIRMAN: Second by Commissioner McEnroe.

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries.

MR. HOWARD: Under Zoning Changes, we 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. Those appeal forms are on the back table, in our office and on our website.

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GENERAL BUSINESS

ZONING CHANGES

ITEM 3

2523 Browns Valley Red Hill Road, 9.000 acres
Consider zoning change: From A-R Rural Agriculture and B-4 General Business to A-R Rural Agriculture
Applicant: Ken Croft

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

MS. EVANS: Melissa Evans.

(MELISSA EVANS SWORN BY ATTORNEY)

PLANNING STAFF RECOMMENDATIONS

The Planning Staff recommends approval subject to the 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. The subject property is a 9-acre tract and
the applicant proposes a residential use on the
property; and,

4. The subject property has road frontage on
Red Hill Maxwell Road and Browns Valley Red Hill Road.

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

CHAIRMAN: Thank you.

Anyone in the audience representing the
applicant?

(NO RESPONSE)

CHAIRMAN: Any commissioners have any
questions or concerns about the application?

(NO RESPONSE)

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

Mr. Boswell.

MR. BOSWELL: Thank you, Mr. Chairman. I make
a motion to approve based on the Planning Staff
Recommendations and Findings of Fact 1 through 4.

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

MS. HARDAYAW: Second.

CHAIRMAN: Second by Commissioner Hardaway.

Any questions the motion or the second?
(NO RESPONSE)

CHAIRMAN: All those in favor please indicate by raising your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries.

ITEM 4

1500 West Parrish Avenue, 0.560 acres
Consider zoning change: From R-1A Single-Family Residential to P-1 Professional/Service Applicant: Owensboro Catholic High School, Inc.; Michael R. & Martha P. Kenney

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

MR. PEDLEY: Trey Pedley.

(TREY PEDLEY SWORN BY ATTORNEY.)

PLANNING STAFF RECOMMENDATION

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

CONDITIONS

No access to West Parrish Avenue shall be permitted. Access shall be limited to Dean Avenue only.

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

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

3. The proposed use, a school, is non-residential in nature;

4. The proposed P-1 Professional/Service zone is a logical expansion of the P-1 zone on the adjoining property to the west; and

5. At 0.560 acres in size, the proposal 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 B.

CHAIRMAN: Thank you.

Anyone in the audience representing the application?

MR. KAMUF: Yes. Charles Kamuf representing the applicants.

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

MR. KAMUF: We're here to answer any questions.

I have the principal of Owensboro Catholic and the Director of Owensboro Catholic Schools here.
We're here to answer any questions that you have.

CHAIRMAN: Anyone have any questions concerning this application?

Come and be sworn in.

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

MR. ROUSE: Mark Rouse.

(MARK ROUSE SWORN BY ATTORNEY.)

MR. ROUSE: We live on Dean Avenue. We're just curious what the school system has planned? Are they going to leave the building or are they going to tear it down?

CHAIRMAN: Mr. Kamuf, you want to answer that.

MR. KAMUF: Sort of. We own the property next to the subject property, the Catholic School System. The owners of the property at 1500 West Parrish contacted us to see if we would be interested in buying the property. We have a donor that's willing to pay the price for the property. We have a purchase contract that depends on us getting the property rezoned. At the present time we have no plans for the property. The donor came forward and said that they would buy the property. That's the main reason we're here tonight. We figure it would be an opportunity for us to add on.
One of the other neighbors called, a Mr. Johnson. I advised him that when we got further along that he would be able to have a voice. The development plan, we do not have to file a development plan now because it's not necessary. All we're doing is taking this property and consolidating it with the rest of them.

Now, I'm here to -- maybe I didn't answer your question. That's the best I can do as far as answering that.

I tried to give Mr. Johnson a heads up and tell him that we would be a good neighbor. He lives directly across the road on the corner of Dean Avenue and West Parrish.

CHAIRMAN: Does that answer your question?

MR. KAMUF: That's the best I can. I mean we were contacted by the owners of the property to see if we wanted the property. That's when this ball started rolling.

CHAIRMAN: Understood.

Anyone else?

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

MS. ROUSE: Susan Rouse.

(SUSAN ROUSE SWORN BY ATTORNEY.)
MS. ROUSE: I just have a question about or concerns about the extra traffic that that property could pull onto Dean Avenue. We live right across from the parking lot exit onto Dean. As you all probably know, at 3:15 it's -- if you put another exit on Dean instead of on Parrish, then all of a sudden you've got two outlets on the same small residential street. That's a very busy corner there. Dean and Parrish is very busy. I just want you all to keep that in consideration, the extra traffic. Right now that house, I think, goes out on Parrish. It doesn't have a cut onto Dean. If you change it around, now you've got two; Owensboro Catholic cuts onto Dean. That's just my concern. Thank you.

CHAIRMAN: Mr. Kamuf, can you address that?

MR. KAMUF: One of the conditions of the rezoning is whatever traffic we have would come out, the access point would come out on Dean Avenue. Not saying that we will, but we can't come on Parrish. Of course, all of those issues on the screening and traffic, they will be taken up with the development plan whenever it comes up.

MR. HOWARD: If I could, it doesn't mean access spacing for access to Parrish. If that lot were to have its own individual access, it would have
to be on Dean. Looking at the aerial, you know, it
looks like there would be potential for -- you say
there was parking on this property, that it could tie
in with the existing parking lot and actually all just
funnel through there and not have access on Parrish or
Dean. That might be an option.

MR. KAMUF: Sure. We'll take that up with
engineers when we get ready to do this. Like I said,
in other words, Mr. Johnson, we'll give him a voice
when it gets down to it.

CHAIRMAN: Thank you, sir.

MR. KAMUF: As of this time I can't make any
commitments on anything because we haven't met with
the engineers.

CHAIRMAN: Thank you. Anyone else?

(NO RESPONSE)

CHAIRMAN: Any commissioners have any
questions?

(NO RESPONSE)

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

Commissioner Rogers.

MR. ROGERS: Mr. Chairman, I make a motion for
approval based on Planning Staff Recommendation with
the one condition and the Findings of Facts 1 through
5.

CHAIRMAN: We have a motion by Mr. Rogers. Do we have a second?

MR. BALL: Second.

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

(NO RESPONSE)

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries.

Thank you.

MR. KAMUF: Thank you.

ITEM 5

2860 & 2878 Settles Road, 6.517 acres
Consider zoning change: From R-1A Single-Family Residential and A-U Urban Agriculture to A-U Urban Agriculture
Applicant: Martin and Sarah Walker, Anne Walker

PLANNING STAFF RECOMMENDATIONS

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

CONDITION

Approval of a minor subdivision plat giving 2878 Settles Road road frontage on Settles Road.
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 an Urban Residential Plan Area, where rural small lot residential uses are appropriate in general locations;

3. Each property is a well-proportioned lot and the proposed division will give each property frontage on a public road, Settles Road; and,

4. Each property is of adequate size to assure satisfactory operation of conventional septic tank systems as regulated by state law.

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

CHAIRMAN: Thank you.

Anyone in the audience representing the applicant?

APPLICANT REP: Yes.

CHAIRMAN: Make any comments?

APPLICANT REP: Not at this time.

CHAIRMAN: Thank you, sir.

Any commissioners have any questions concerning the application?

(NO RESPONSE)
CHAIRMAN: Seeing none the chair is ready for a motion.

Commissioner Reeves.

MR. REEVES: Make a motion to approve this application with Condition 1 and Findings of Fact 1 through 4.

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

MR. VELOTTA: Second.

CHAIRMAN: Second by Commissioner Velotta.

Any questions concerning the motion or the second?

(NO RESPONSE)

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries.

MAJOR SUBDIVISION PRELIMINARY PLATS

ITEM 6

Southpark, 10,000 acres
Consider approval of an amended major subdivision preliminary plat
Applicant: Old Hartford Properties

MR. HOWARD: This plat comes before you as a major subdivision preliminary plat. The reason that they amended the size is that the detention basin on
the original preliminary does require review and
re-approval by the full Planning Commission. It's
been reviewed by the utility, Engineering Staff and
Planning Staff. It's found to be in order and ready
for your consideration for approval.

CHAIRMAN: Thank you.

Anyone in the audience representing the
application?

MR. JONES: Dr. David Jones. I'm one of the
parties of Old Hartford Properties.

(DR. DAVID JONES SWORN BY ATTORNEY.)

DR. JONES: I just came here to see if anybody
had any questions or if there's anything we could
answer, as far as the change.

CHAIRMAN: Does anybody in the audience have
any questions concerning this?

(NO RESPONSE)

CHAIRMAN: Any commissioners?

(NO RESPONSE)

CHAIRMAN: Seeing none, no one has any
questions for you, sir.

Since there's no questions, I'm ready for a
motion.

Commissioner Velotta.

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

MR. REEVES: Second.

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries.

ITEM 7

Stone Crest, 30.869 acres
Consider approval of an amended major subdivision preliminary plat
Applicant: JR Acquisitions, LLC, c/o Mike Martin

MR. HOWARD: This plat comes before you as an amendment to the original preliminary plat. Initially Jessica Lane extended further north and stubbed to the property line, but based on other development, other construction has taken place in the vicinity, it's deemed that route may not be feasible any longer. So it's changed to better utilize the land. The Engineers Staff and the Planning Staff, utilities have all reviewed it and it's ready for your consideration for approval.

CHAIRMAN: Thank you.

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

CHAIRMAN: Would you like to make any comments? Ready for questions?
(NO RESPONSE)

CHAIRMAN: Any questions in the audience?
(NO RESPONSE)

CHAIRMAN: Any questions by the commissioners?
(NO RESPONSE)

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

Mr. Boswell.

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

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

MS. McENROE: Second.

CHAIRMAN: Second by Commissioner 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.

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NEW BUSINESS

ITEM 8

Consider approval of October 2019 financial statement
CHAIRMAN: All the commissioners should have received a copy of the financial report and statement. Anyone have any questions or concerns about the financial report?

(NO RESPONSE)

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

Commissioner Hardaway.

MS. HARDAWAY: Motion to approve.

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

MR. REEVES: Second.

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries.

ITEM 9

Consider approval of the amended Public Improvement Specifications surety unit costs

MR. HOWARD: As you all will recall, you see this every year. We get together with a group that's called Public Improvement Specification Committee and they go over these costs annually.

What these are when a developer is preparing a new subdivision, at the time of final platting any
construction work relating to sewers, the streets, water lines, fire hydrants, any of those type of things, any improvements that are not done, they have opportunities to post surety for those.

We get together annually with this group that consist of the city and county engineer, engineers from private firms here locally, water and fire, sewer utilities, home builders representatives, excavation contractors. We've got a group of people that get together and look over these numbers annually.

This year we had a handful of changes, maybe half the things were bumped up a little bit to reflect current costs that were seen out in the field and actual construction jobs. So this will go into effect January 1.

If you have any questions about it, I will be glad to answer those. If not, it's ready for approval.

CHAIRMAN: Thank you.

Any commissioners have any questions about the improvement specification?

(NO RESPONSE)

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

Commissioner Ball.
MR. BALL: Motion to approve.

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

MR. VELOTTA: Second.

CHAIRMAN: Second by Commissioner Velotta.

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries.

ITEM 10

Consider approval of the amended Planning Filing Fees

MR. HOWARD: So we don't amend the Planning Filing Fees regularly. We try to look at those every five years. That's not why we have these amendments tonight.

It's state-wide the legislation passed that the recording fees at the county clerk offices across the state in all 120 counties are being increased; in some cases significantly.

So with that what will impact our office; right now in order to record a plat it's a $20 fee and that's being increased to $50. Then with any type of conditional use permit, variance, preliminary plat, final development plan, any of those types of things, we're required by state law to file basically a

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certificate land use restriction. It's something that's recorded that then can be chased down in a title search. Right now it is $16 to record one of those, and it's going up to $50 as well. The increase fees that you see reflect that additional cost that will be, that we will see in our office in order to record plats and record these restrictions.

This isn't a revenue generator for us. We're not increasing fees to increase revenue. We're basically just doing this so that we'll be able to remain on even footing with where we have been. We don't necessarily, you know, we're not excited about having to do this. We're going from a minor subdivision plat on a residential lot where the recording fee was a sixth of the cost of the total filing fee to where now it's a third of the cost of total filing fee. So it is a pretty significant increase, but we're passing along the increase cost as we have to do in order to make the budget work.

If you have any questions, I'll be glad to answer those. If not, they're ready for approval. These would go into effect January 1 as well. That's when the clerk's office will start charging the fees.

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

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

Mr. Boswell.

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

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

MS. McENROE: Second.

CHAIRMAN: Second by Commissioner McEnroe.

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries.

ITEM 11
Comments by the Chairman

CHAIRMAN: I'd just like to take this opportunity to wish all of the staff, all the commissioners, everyone a very Merry Christmas and Happy New Year. That's all I have.

ITEM 12
Comments by the Planning Commissioners.

CHAIRMAN: Anybody?

Commissioner Reeves.

MR. REEVES: I feel like we need to say this.
I know Commissioner McEnroe has chosen not to be reappointed, even though mayor was willing to appoint her. She is one best commissioners I've ever worked with. I would like to applaud her service and thank her for everything she's done.

I appreciate you very much.

MR. BALL: I would like to say whoever they get is going to have to sit beside me and keep me in line.

CHAIRMAN: That's a tough job.

Commissioners Boswell, do you have something?

MR. BOSWELL: I would like to commend our Chairman for an excellent job on his first year as our chairman. It's not always an easy task, but I think he's handled it well and I congratulate you. You've done a great job.

CHAIRMAN: Thank you. It's easy to do when you're working with good people.

ITEM 13

Comments by the Director.

MR. HOWARD: Fred, I appreciate you mentioning Beverly going off the board. We do have a plaque that we have for you in order to just say thank you for your time. You've been a great member to the Planning Commission. Always enjoyed interacting with you and
your thoughtfulness on matters and questions. Really appreciate the time that you've put into this. You'll be missed, but certainly understand, you know, at some point enough is enough. It's a hard board to be on, but we appreciate your time and effort to this commission.

MS. McENROE: Thank you. I would just like to say it's really been an education for me, and I've been in parts of Daviess County that I never knew was there with my GPS.

I also want to say to the Staff, you all have been great keeping us informed on what we needed to do. I really appreciate that. But it's time for new blood.

CHAIRMAN: Manual last one.

MR. ALL: Motion to adjourn.

CHAIRMAN: Do we have a second?

MR. VELOTTA: Second.

CHAIRMAN: Second by Commissioner Velotta.

All in favor indicate by raising your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: We are adjourned.

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   ) SS: REPORTER'S CERTIFICATE
COUNTY OF DAVIESS )

   I, LYNNETTE KOLLER FUCHS, Notary Public in and
for the State of Kentucky at Large, do hereby certify
that the foregoing Owensboro Metropolitan Planning
Commission meeting was held at the time and place as
stated in the caption to the foregoing proceedings;
that each person commenting on issues under discussion
were duly sworn before testifying; that the Board
members present were as stated in the caption; that
said proceedings were taken by me in stenotype and
electronically recorded and was thereafter, by me,
accurately and correctly transcribed into foregoing 23
typewritten pages; and that no signature was requested
to the foregoing transcript.

   WITNESS my hand and notary seal on this the

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

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