The Owensboro Metropolitan Planning Commission met in regular session at 5:30 p.m. on Thursday, August 13, 2020, at City Hall, Commission Chambers, Owensboro, Kentucky, and the proceedings were as follows:

MEMBERS PRESENT: Lewis Jean, Vice Chairman
Brian Howard, Director
Terra Knight, Attorney
Manuel Ball
Fred Reeves
Skyler Stewart
Larry Boswell
Jay Velotta

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CHAIRMAN: Call the August 13, 2020 Owensboro Metropolitan Planning & Zoning meeting to order. We begin our meetings with a pledge and prayer. Commissioner Velotta has got that honor this evening.

(INVOCATION AND PLEDGE OF ALLEGIANCE.)

CHAIRMAN: I would like to ask that if you've got anything to say about any issue that we're discussing, please come to the podium and be sworn in by counsel. Address all your questions to the chair. Stay on topic. Be respectful.

The first order of business is the minutes of the last meeting. The commissioners should have Ohio Valley Reporting

(270) 683-7383
received a copy of the minutes to review. Are there any omissions or additions?

(NO RESPONSE)

CHAIRMAN: At this time I would accept a motion.

MR. REEVES: Motion to approve.

CHAIRMAN: Motion to approve by Commissioner Reeves.

MR. VELOTTA: Second.

CHAIRMAN: Second by Commissioner Velotta.

All in favor signify 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 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.

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GENERAL BUSINESS

ITEM 3

1701 Breckenridge Street, 0.490 acre

Consider zoning change: From B-4 General Business to B-5 Business/Industrial

Applicant: Gary M. Sisk

Ohio Valley Reporting

(270) 683-7383
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 condition and findings of fact that follow:

CONDITION

Access to Breckenridge Street shall be limited to the existing single access point only; no additional access to Breckenridge Street 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 within a Business/Industrial Plan Area, where business/industrial uses are appropriate in general locations;

3. The subject property lies 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 an office/warehouse
conforms to the criteria for non-residential development.

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

CHAIRMAN: Is there anybody here representing the applicant?

MR. PFEIFFER: Yes. Mark Pfeiffer. I'm here for Gary Sisk, the applicant, and there's some representatives from Habitat for Humanity, which is the purchaser of the property.

CHAIRMAN: Would you like to speak?

MR. PFEIFFER: No, I don't have anything to say, but if anybody has questions, I'll try to answer them.

CHAIRMAN: Anybody want to speak in favor of this?

(NO RESPONSE)

CHAIRMAN: Any opposition?

(NO RESPONSE)

CHAIRMAN: Now I'll accept a motion.

MR. BALL: I make a motion to approve based on the one condition and Findings of Fact 1 through 5.

CHAIRMAN: We have a motion to approve by Commissioner Ball.

MR. BOSWELL: Second.

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ITEM 4
Rear Portion of 4430 Englewood Drive, 1.155 acres
Consider zoning change: From A-R Rural Agriculture to R-1A Single-Family Residential
Applicant: Thomas F. & Sarah A. Kamuf Family
Irrevocable Trust c/o Tonya Murphy & Kimberly Woodall, Trustees

PLANNING STAFF RECOMMENDATIONS

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

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 rural small lot residential uses are appropriate in general locations;

3. The property has frontage on Englewood Drive, a public road;

4. The subject property has an existing
septic system and is large enough to ensure satisfactory operation; and,

5. The proposed R-1A zoning is a logical expansion of the existing R-1A zoning to the north.

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

CHAIRMAN: Is there anyone here representing the applicant?

APPLICANT REP: Yes.

CHAIRMAN: Would you like to speak?

APPLICANT REP: No, sir.

CHAIRMAN: Is anybody here in opposition of the item?

(NO RESPONSE)

CHAIRMAN: Hearing none I'll accept a motion.

MR. REEVES: I move to approve this application based on Planning Staff Recommendation and Findings of Fact 1 through 5.

CHAIRMAN: Do we have a second?

MS. STEWART: Second.

CHAIRMAN: Commissioner Stewart has a second.

Any further discussion?

(NO RESPONSE)

CHAIRMAN: All in favor signify by raising your right hand.
(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: The motion passes.

ITEM 5
7011 Highway 56, 0.330 acre
Consider zoning change: From B-4 General Business to R-1A Single-Family Residential
Applicant: Pinnacle Properties Partners, LLC

PLANNING STAFF RECOMMENDATIONS

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

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 rural small lot residential uses are appropriate in limited locations;

3. The subject property has frontage on an existing road, Highway 56, with no new roads proposed,

4. Although the property does not meet the current size requirements for operation of a conventional septic system, it is an existing lot of record and has historically been used residentially;

and,

5. The proposed R-1A zoning is a logical expansion of the existing R-1A zoning to the south,
east and west.

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

CHAIRMAN: Is there anybody here representing the applicant?

(NO RESPONSE)

CHAIRMAN: Is there anybody that has any concerns about the application?

(NO RESPONSE)

CHAIRMAN: Do any of the commissioners have any concerns?

(NO RESPONSE)

CHAIRMAN: At this time I will accept a motion.

Mr. Boswell.

MR. BOSWELL: Thank you, Mr. Chairman. I would like to make a motion for approval based on the Planning Staff Recommendations 1 through 5 and also the site visit made to the site.

CHAIRMAN: We have a motion by Commissioner Boswell. Do we have a second?

MR. VELOTTA: Second.

CHAIRMAN: Commissioner Velotta has a second.

Any further discussion?

(NO RESPONSE)

Ohio Valley Reporting

(270) 683-7383
CHAIRMAN: All in favor signify by raising your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries.

MR. HOWARD: Just for the commission. Tonight any plats that you recommend for approval, since both the chairman and secretary are not here, those are typically the two people that would sign, would request that you include a motion or as part of your motion that Vice Chairman Jean would sign in place of the Chairman and then if it's your all's pleasure instead of hunting down Mike tomorrow to sign them, I would be more than happy to sign for him if you all are fine with that. If not, we'll find him tomorrow. That's up to you all.

MINOR SUBDIVISIONS

ITEM 6
9427, 9485 McCamish Road, 4.243 acres
Consider approval of a minor subdivision plat.
Applicant: Joseph V. & Geneva L. Howard

MR. HOWARD: This plat comes before you as an exception to both the minimum road frontage requirements and the three to one requirement. There was a plat approved in 2006 that included this 4.2 acre parcel that had notation on it that says this property can't be further subdivided, not meeting the
subdivision requirements. They're proposing a
division of the property that does not meet the
subdivision requirements. It's basically creating two
50-foot flag lots. Staff would recommend the plat not
be approved.

CHAIRMAN: Is there anybody here representing
the applicant?

MR. HOWARD: The surveyor is here.

CHAIRMAN: Would you like to speak?

APPLICANT REP: No.

CHAIRMAN: Any commissioners have any
questions?

MR. BALL: I have one.

Just to be clear. This was approved, did you
say six years ago roughly?

MR. HOWARD: In 2006.

MR. BALL: 2006, I'm sorry.

MR. HOWARD: Yes. It actually came to the
Planning Commission June 8, 2006 because it still, it
met minimum road frontage requirements, but it was
still creating a flag-shaped lot with these two, you
know, fingers of frontage that came out to McCamish
Road.

MR. BALL: The applicant was notified or
agreed to the fact that there would be no further
subdivision without meeting the subdivision
regulations in the future?

MR. HOWARD: That note was on the plat and
they signed it. They were the property owners at that
time and they signed the plat.

MR. BALL: Thank you.

CHAIRMAN: Any further discussion?

(NO RESPONSE)

CHAIRMAN: At this time I will accept a
motion.

MR. REEVES: Motion this application be
denied.

CHAIRMAN: Is there a second?

MR. BALL: Second.

CHAIRMAN: Second by Mr. Ball. Any further
discussion?

(NO RESPONSE)

CHAIRMAN: All in favor of the motion signify
by raising your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carried.

ITEM 7
3875, 3889, 3911, 3928 Medley Road, 16.116 acres
Consider approval of a minor subdivision plat.
Applicant: Benjamin R. & Rachel N. Alvey

MR. HOWARD: This plat comes before you as an
exception to the three to one requirement. You
already have a couple of lots out there that are,
well, one in particular. Tract 1, it exceeds the
three to one requirement. They're modifying the shape
of that lot. Tract 2 meets subdivision regulations.
Tract 4 meets the subdivision regulations. Tract 3 is
over 10 acres and zoned agriculture so it meets the
requirements. In essence they're altering Tract 1
that already doesn't meet the requirements. They're
not creating any more new buildable lots that are not
in compliance with regulations. So we would recommend
that you consider it for approval.

CHAIRMAN: Anyone here representing the
applicant?

(NO RESPONSE)

CHAIRMAN: Commissioners have any questions?

(NO RESPONSE)

CHAIRMAN: At this time I'll accept a motion.
Commissioner Boswell.

MR. BOSWELL: Thank you, Mr. Chairman.

Just a quick point of clarification. Did I
hear Mr. Howard say that they're just rearranging the
lot sizes?

MR. HOWARD: Tract 1, the tract furthest west
is the one that is being altered. It's already out of
compliance. Tract 2, as you can see, there's an existing parcel around it and they're expanding the acre of that parcel. Tract 4 on the far southeast corner meets the requirements. Like I said, Tract 3 is over 10 acres.

MR. BOSWELL: Thank you, Mr. Howard.

That being the case I would like to make a motion to approve.

MR. HOWARD: And with your motion to approve would you consider including --

MR. BOSWELL: Yes. Consider letting Vice Chairman sign, as well as Mr. Howard.

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

MR. REEVES: Second.

CHAIRMAN: Second by Commissioner Reeves. Is there any further discussion?

(NO RESPONSE)

CHAIRMAN: All in favor signify by raising your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries.

ITEM 8

3301, 3305 Taylor Road East, 10.787 acres
Consider approval of a minor subdivision plat.
Applicant: Mar-Gene, LLC; Margaret C. Cambron

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MR. HOWARD: This plat comes before you as an exception. There's already, there's a lot on here, but there's already a really odd -- well, it shows upgrade on the aerial photo. The blue outline is an existing parcel that clearly doesn't meet any of the requirements.

In essence what they're doing is taking the available road frontage that's there. There are two parcel now. The end result is two parcels. They're reconfiguring the frontage. They both have a minimum of 50 feet of road frontage. The acreage that we're talking about here, it's over 10 acres, the two parcels we feel is reasonable. There is a notation on this plat that the properties can't be further subdivided not meeting the subdivision regulations, which in essence for this would mean that they would have to put in a public street in order to meet division regulation.

With all of that taken into account we would recommend that you consider it for approval.

CHAIRMAN: Anybody here representing the applicant?

APPLICANT REP: Yes.

CHAIRMAN: Would you like to speak on their behalf?
APPLICANT REP: Not unless you have questions.

CHAIRMAN: Any commissioners have any questions?

(NO RESPONSE)

CHAIRMAN: At this time I'll accept a motion.

MR. VELOTTA: Motion to approve.

CHAIRMAN: Motion by Commissioner Velotta.

MS. KNIGHT: And would you also allow the signatures?

MR. VELOTTA: And allow the Vice Chair and Director to sign.

CHAIRMAN: Do we have a second?

MR. BALL: Second.

CHAIRMAN: Second by Mr. Ball. Any further discussion?

(NO RESPONSE)

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries.

ITEM 9
3166, 3180 Highway 140 East, 10.007 acres
Consider approval of a minor subdivision plat.
Applicant: Rene Z. & Jacqualine D. Mendez

MR. HOWARD: This plat comes before you as an exception to the three to one requirements of the Ohio Valley Reporting
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zoning ordinance. As you can see -- Melissa does the
next item show the --

As you can see, in this area there are several
lots that were created back in the day. They're long
skinny parcels. What they're requesting to do here is
basically sever off the home and put it on one parcel.
It would leave one additional buildable lot on the
tract. Again, kind of with the last tract. When
you're talking about 10 acres total, getting two
buildable sites out of is not unreasonable in our
mind. There is notation on this plat as well, again,
that it can't be further subdivided not meeting the
requirements. So essentially this would be the last
time this property could be split without putting a
public street or something like that in. With that we
would recommend that you consider it for approval.

CHAIRMAN: Is there anybody here representing
the applicant?

APPLICANT REP: Yes.

CHAIRMAN: Would you like to speak at this
time?

APPLICANT REP: No.

CHAIRMAN: Do the commissioners have any
questions?

(NO RESPONSE)
CHAIRMAN: At this time I'll accept a motion.

MR. BALL: I'll make a motion to approve.

CHAIRMAN: Motion by Mr. Ball.

MR. BALL: With the caveat that Vice Chair and Mr. Howard sign.

CHAIRMAN: We have a motion by Commissioner Ball. Do we have a second?

MR. VELOTTA: Second.

CHAIRMAN: Second by Commissioner Velotta.

Any further questions?

(NO RESPONSE)

CHAIRMAN: At this time I'll call for a vote.

All in favor signify by raising your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

NEW BUSINESS

ITEM 10

Consider approval of June 2020 financial statements

MR. HOWARD: I e-mailed a copy of that out to everybody earlier in the week. Be glad to answer any questions that you may have about it; otherwise, we would need a motion to approve those, please.

MR. VELOTTA: Motion to approve.

CHAIRMAN: We have a motion by Commissioner Velotta.

Ohio Valley Reporting

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MR. BALL: Second.

CHAIRMAN: Second by Commissioner Ball. Is there any further discussion?

(NO RESPONSE)

CHAIRMAN: All in favor signify by raising your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries.

ITEM 11

Comments by the Chair

CHAIRMAN: Chair has just got one comment. I would like to thank Director Howard and his Staff for making this an acceptable place to meet. Thank you.

ITEM 12

Comments by the Planning Commissioners

MR. BOSWELL: I would just like to commend the Chair for doing a great job tonight.

CHAIRMAN: Thank you.

ITEM 13

Comments by the Director

MR. HOWARD: I don't have any comments this evening. Thank you.

CHAIRMAN: One final motion.

MR. BALL: Motion to adjourn.

MS. STEWART: Second.

Ohio Valley Reporting

(270) 683-7383
CHAIRMAN: All in favor signify by raising your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: We are adjourned.
STATE OF KENTUCKY)

COUNTY OF DAVIESS)

I, LYNNETTE KOLLER FUCHS, Notary Public in and for the State of Kentucky at Large, do hereby certify that the foregoing Owensboro Metropolitan Planning Commission meeting was held at the time and place as stated in the caption to the foregoing proceedings; that each person commenting on issues under discussion were duly sworn before testifying; that the Board members present were as stated in the caption; that said proceedings were taken by me in stenotype and electronically recorded and was thereafter, by me, accurately and correctly transcribed into foregoing 19 typewritten pages; and that no signature was requested to the foregoing transcript.

WITNESS my hand and notary seal on this the 8th day of September, 2019.

LYNNETTE KOLLER FUCHS
NOTARY ID 613522
OHIO VALLEY REPORTING SERVICES
2200 E. PARRISH AVE, SUITE 205C
OWENSBORO, KY 42303

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

Ohio Valley Reporting
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