

1 OWENSBORO METROPOLITAN PLANNING COMMISSION

2 DECEMBER 11, 2014

3 The Owensboro Metropolitan Planning Commission  
4 met in regular session at 5:30 p.m. on Thursday,  
5 December 11, 2014, at City Hall, Commission Chambers,  
6 Owensboro, Kentucky, and the proceedings were as  
7 follows:

8 MEMBERS PRESENT: Ward Pedley, Chairman  
9 Fred Reeves, Vice Chairman  
10 David Appleby, Secretary  
11 Brian Howard, Director  
12 Terra Knight, Attorney  
13 Steve Frey  
14 Wally Taylor  
15 John Kazlauskas  
16 Larry Boswell  
17 Beverly McEnroe  
18 Larry Moore

19 \* \* \* \* \*

20 CHAIRMAN: Call to order the Owensboro  
21 Metropolitan Planning Commission December 11, 2014  
22 meeting. We will begin our meeting with a prayer and  
23 pledge of allegiance to the flag. Mr. Reeves will  
24 lead us. Would you stand, please.

25 (INVOCATION AND PLEDGE OF ALLEGIANCE.)

26 CHAIRMAN: I would like to welcome everyone.  
27 Anyone wishing to speak on any of these items may do  
28 so. We ask you to come to one of the podiums and  
29 state your name and be sworn in.

30 With that the first item on the agenda is to

1 consider the minutes of the November 13, 2014 meeting  
2 and the Special Session Meeting of December 4, 2014.

3 Commissioners, you have copies of both of  
4 those meetings in your packet. Are there any  
5 additions or corrections?

6 (NO RESPONSE)

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

9 MR. KAZLAUSKAS: So move.

10 CHAIRMAN: We have a motion for approval by  
11 Mr. Kazlauskas.

12 MR. TAYLOR: Second.

13 CHAIRMAN: Second by Mr. Taylor. All in favor  
14 of the motion raise your right hand.

15 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

16 CHAIRMAN: Motion carries unanimous.

17 Next item.

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19 GENERAL BUSINESS

20 ZONING CHANGES

21 ITEM 3

22 Portion of 416 East 11th Street, 0.008 acres  
23 Consider zoning change: From I-1 Light Industrial to  
24 B-4 General Business  
Applicant: Hayden Development, Terry & Mary Schrecker

25 MR. HOWARD: I will note that the rezoning

1 changes heard here tonight will become final 21 days  
2 after the meeting unless an appeal is filed. If an  
3 appeal is filed, we will forward the record of the  
4 meeting along with all applicable material to the  
5 appropriate legislative body for their consideration.

6 MS. KNIGHT: Will you state your name for the  
7 record?

8 MR. HILL: Mike Hill.

9 (MIKE HILL SWORN BY ATTORNEY.)

10 PLANNING STAFF RECOMMENDATIONS

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

13 CONDITION:

14 Approval of the minor subdivision plat  
15 consolidating the 0.008 acre portion with 1121 Moseley  
16 Street.

17 FINDINGS OF FACT:

18 1. Staff recommends approval because the  
19 proposal is in compliance with the community's adopted  
20 Comprehensive Plan;

21 2. The subject property is located in an  
22 Industrial Plan Area where general business uses are  
23 appropriate in very limited locations;

24 3. The proposed use as a commercial  
25 development conforms to the criteria for

1 nonresidential development;

2 4. The proposal is a logical expansion of the  
3 recently rezoned B-4 General Business property to the  
4 west, as well as existing B-4 General Business zoning  
5 in the vicinity to the east and south of the subject  
6 property, as well as the existing B-5  
7 Business/Industrial zoning to the southwest; and,

8 5. At 0.008 acre, the proposal does not  
9 significantly increase the extent of general business  
10 zoning in the vicinity and should not overburden the  
11 capacity of roadways and other necessary urban  
12 services that are available in the affected area.

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

15 CHAIRMAN: Anyone here representing the  
16 applicant?

17 APPLICANT REP: Yes.

18 CHAIRMAN: Anyone here have any comments or  
19 questions on this application?

20 (NO RESPONSE)

21 CHAIRMAN: Commissioners, do you have any  
22 comments or questions on the application?

23 (NO RESPONSE)

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

1           MR. BOSWELL: Motion for approval based on the  
2 Findings of Fact and Staff Recommendations 1 through 5  
3 and the condition upon approval of the minor  
4 subdivision plat consolidating the 0.008 acre portion  
5 with 1121 Moseley Street.

6           CHAIRMAN: We have a motion for approval by  
7 Mr. Boswell.

8           MR. APPLEBY: Second.

9           CHAIRMAN: Second by Mr. Appleby. Comments or  
10 questions on the motion?

11           (NO RESPONSE)

12           CHAIRMAN: All in favor of the motion raise  
13 your right hand.

14           (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

15           CHAIRMAN: Motion carries unanimous.

16           Next item, please.

17       ITEM 4

18       7132, 7146 US Highway 431, 3.185 +/- acres  
19       Consider zoning change: From I-1 Light Industrial and  
20       R-1A Single-Family Residential to P-1  
      Professional/Service  
      Applicant: Panther Creek Baptist Church

21           MS. KNIGHT: State your name for the record.

22           MS. EVANS: Melissa Evans.

23           (MELISSA EVANS SWORN BY ATTORNEY.)

24       PLANNING STAFF RECOMMENDATIONS

25           The Planning Staff recommends approval subject

1 to the conditions and findings of fact that follow:

2 CONDITIONS:

3 1. Access shall be limited to the two  
4 existing access points on 7146 US Highway 431.

5 2. Approval of a minor subdivision plat  
6 consolidating 7132 and 7146 US Highway 431.

7 FINDINGS OF FACT:

8 1. Staff recommends approval because the  
9 proposal is in compliance with the community's adopted  
10 Comprehensive Plan;

11 2. The subject property is located in a Rural  
12 Community Plan Area where professional/service uses  
13 are appropriate in limited locations;

14 3. The proposed use as a church conforms to  
15 the criteria for nonresidential development; and

16 4. The subject properties are located on US  
17 Highway 431, a major street.

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

20 CHAIRMAN: Anyone here representing the  
21 applicant?

22 APPLICANT REP: Yes.

23 CHAIRMAN: Anyone here have any comments or  
24 questions on the application?

25 (NO RESPONSE)

1 CHAIRMAN: Commissioners, have any comments or  
2 questions?

3 (NO RESPONSE)

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

6 MR. APPLEBY: Motion for approval based on  
7 Staff's Recommendations with two Conditions and  
8 Findings of Fact 1 through 4.

9 CHAIRMAN: We have a motion for approval by  
10 Mr. Appleby.

11 MR. REEVES: Second.

12 CHAIRMAN: We have a second by Mr. Reeves.  
13 Any comments or questions on the motion?

14 (NO RESPONSE)

15 CHAIRMAN: All in favor of the motion raise  
16 your right hand.

17 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

18 CHAIRMAN: Motion carries unanimous.

19 Next item, please.

20 MINOR SUBDIVISION PLATS

21 ITEM 5

22 2734, 2750 Settles Road, 9.318 +/- acres  
23 Consider approval of minor subdivision plat.  
Applicant: Michael B. & Pamela Lewis

24 MR. HOWARD: This plat comes before you as an  
25 exception to the 3 to 1 requirement. They're taking

1       some acreage off of the large parcel and consolidating  
2       it with a smaller parcel. They both have frontage on  
3       Settles Road. They're not maximizing or creating any  
4       buildable lots. All it is is an addition to the rear  
5       of that property which extends it to that 3 to 1  
6       requirement. Since they're not creating any new lots,  
7       we would recommend that you consider it for approval.

8               CHAIRMAN: Anyone here have any comments or  
9       questions on this?

10              (NO RESPONSE)

11              CHAIRMAN: Commissioners do you have any  
12       comments or questions?

13              (NO RESPONSE)

14              CHAIRMAN: Chair is ready for a motion.

15              MR. APPLEBY: Motion for approval.

16              CHAIRMAN: We have a motion for approval by  
17       Mr. Appleby.

18              MS. MCENROE: Second.

19              CHAIRMAN: Second by Mrs. McEnroe. All in  
20       favor of the motion raise your right hand.

21              (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

22              CHAIRMAN: Motion carries unanimous.

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24                               NEW BUSINESS

25       ITEM 6

1 Consider approval of October 2014 financial statements

2 MR. HOWARD: Mr. Chairman, a copy was mailed  
3 to each of the board members. They're ready for your  
4 consideration.

5 CHAIRMAN: Commissioners, do you have any  
6 comments or questions on the financial statement?

7 (NO RESPONSE)

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

10 MR. FREY: Motion to approve.

11 CHAIRMAN: Motion to approve by Mr. Frey.

12 MR. TAYLOR: Second.

13 CHAIRMAN: Second by Mr. Taylor. All in favor  
14 of the motion raise your right hand.

15 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

16 CHAIRMAN: Motion carries unanimous.

17 ITEM 7

18 Comments by the Chairman

19 CHAIRMAN: Commissioners, this is my final  
20 meeting to be your chairman. I won't be a candidate  
21 next year for chairman or vice chairman. This is my  
22 final meeting.

23 I would like to thank all the commissioners  
24 for your support.

25 Mr. Reeves, you as vice chair, thank you very

1 much for your support you have given me throughout.

2 Staff, thank you.

3 Brian, thank you.

4 Terra, especially thank you for keeping me out  
5 of trouble.

6 That's all I have tonight.

7 ITEM 8

8 Comments by the Planning Commissions

9 MR. BOSWELL: Ward, I would like to take the  
10 opportunity to thank you for the service that you  
11 provided as chairman of the commission. I think  
12 you've done an outstanding job and should be commended  
13 for running a good smooth meeting the entire time.  
14 Thank you very much.

15 CHAIRMAN: Thank you.

16 ITEM 9

17 Comments by the Director.

18 MR. HOWARD: All I've got is I want to say I  
19 think we've had a really good year as a Planning  
20 Commission. I'm looking forward to next year. Can't  
21 wait to see you guys in January.

22 CHAIRMAN: We need a motion for adjournment.

23 MR. APPLEBY: So move.

24 CHAIRMAN: We have a motion for adjournment.

25 MR. BOSWELL: Second.

1 CHAIRMAN: Second by Mr. Boswell. All in  
2 favor raise your right hand.

3 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

4 CHAIRMAN: We are adjourned.

5 (Meeting ends at 5:39 p.m.)

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16                   WITNESS my hand and notary seal on this the  
17       2nd day of January, 2015.

23 COMMISSION EXPIRES: DECEMBER 16, 2018

24 COUNTY OF RESIDENCE: DAVIESS COUNTY, KENTUCKY

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