

1 OWENSBORO METROPOLITAN PLANNING COMMISSION

2 APRIL 14, 2016

3 The Owensboro Metropolitan Planning Commission
4 met in regular session at 5:30 p.m. on Thursday, April
5 14, 2016, at City Hall, Commission Chambers,
6 Owensboro, Kentucky, and the proceedings were as
7 follows:

8 MEMBERS PRESENT: Fred Reeves, Chairman
Larry Boswell, Vice Chairman
9 Steve Frey, Secretary
Brian Howard, Director
10 Terra Knight, Attorney
John Kazlauskas
11 Lewis Jean
Beverly McEnroe
12 Manuel Ball
Larry Moore
13 Irvin Rogers
Angela Hardaway

14 * * * * *

15
16 CHAIRMAN: I want to call the April 2016
17 meeting of the Owensboro Metropolitan Planning
18 Commission to order. We start every meeting with a
19 prayer and pledge to the flag. If you will join me
20 please and stand.

21 (INVOCATION AND PLEDGE OF ALLEGIANCE.)

22 CHAIRMAN: The first item of business this
23 evening is to consider the minutes of the March 2016
24 meeting. Everyone has had a chance to receive these.
25 These are paper copy or electronic copy in the mail.

1 I hope you have had a chance to review them. Ask if
2 there are any corrections or addition to the minutes
3 you received?

4 (NO RESPONSE)

5 CHAIRMAN: If not then the chair will
6 entertain a motion.

7 MR. KAZLAUSKAS: Mr. Chairman, I make a motion
8 that the minutes be approved.

9 CHAIRMAN: Motion by Mr. Kazlauskas.

10 MS. McENROE: Second.

11 CHAIRMAN: Second by Ms. McEnroe. Questions
12 about the motion?

13 (NO RESPONSE)

14 CHAIRMAN: All those in favor raise your right
15 hand.

16 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

17 CHAIRMAN: The minutes are approved.

18 -----

19 GENERAL BUSINESS

20 Cellular Telecommunications Facilities per KRS 100.987

21 ITEM 3

22 3815 Highway 554
23 Consider approval of a wireless telecommunications
24 tower.
25 Applicant: Q-Wireless, LLC & West Daviess County
Water District

MS. KNIGHT: Please state your name for the

1 record.

2 MR. HILL: Mike Hill.

3 (MIKE HILL SWORN BY ATTORNEY.)

4 MR. HILL: Planning Staff has determined that
5 all materials for a complete application have been
6 submitted in accordance with Owensboro Metropolitan
7 Zoning Ordinance Section 20-4(b).

8 The cellular tower meets all minimum distance
9 requirements from residential structures. The nearest
10 residential structure located across the street at
11 3814 Highway 554, is approximately 259 feet from the
12 proposed tower according to materials submitted by the
13 applicant. Section 20-5(b) of the zoning ordinance
14 requires lattice towers in agricultural zoned to be
15 located at least 250 feet from residential structures.

16 Setbacks: Section 20-5(c) of the Zoning
17 Ordinance requires a setback from the property lines
18 equal to one-half the height of the proposed tower.
19 In this case, the proposed tower is 160 feet tall
20 therefore the required setback from the property lines
21 is 80 feet. The entire parcel that is zoned by the
22 water district is, I think, three-tenths of an acre.
23 It is only 80 feet wide so it's impossible to fit the
24 tower on this parcel in an 80 feet setback in all
25 directions. Regarding the three of the four sides it

1 does not meet that the applicant will be requesting a
2 waiver of that setback requirement.

3 Height: The tower is 160 feet with an 8 foot
4 lightning rod on top. The proposed tower is well
5 under the 200 foot maximum allowed by the Zoning
6 Ordinance.

7 Screening: Under Section 20-5(i), it requires
8 staggered rows of 6 foot tall evergreen trees to be
9 spaced every 15 feet within 10 foot of the property
10 line. The applicant is requesting a waiver of this
11 requirement, but proposes to preserve all the existing
12 trees on the site. So there's two waivers.

13 Signs: There are no proposed signs on the
14 site except for those that may be required regarding
15 emergency, safety and warning information.

16 Co-Location: This site is designed to provide
17 space for three or more service providers.

18 Waivers:

19 1. Setbacks - Again, the property is very
20 small. The setback tower is not capable of meeting
21 the 80 foot setback requirement from the west, south
22 and east property lines.

23 2. Screening - Although, the applicant
24 proposes to use the existing trees on the site. Some
25 are deciduous. Some are evergreen. They're kind of

1 sporadically located around the perimeter of the site.
2 Some on the small water district parcel and some on
3 the adjacent parcel. They are proposing to preserve
4 all of those. Even with that being said, because of
5 some of the species used, evergreen, some of the
6 location of the existing trees they are requesting a
7 waiver of the requirement.

8 Staff recommends approval of request with the
9 following Findings of Fact:

10 1. The application is complete with all
11 materials in accordance with the Owensboro
12 Metropolitan Zoning Ordinance;

13 2. The site is in compliance with all design
14 criteria of the Owensboro Metropolitan Zoning
15 Ordinance;

16 3. The permanent tower will improve service
17 for user within the community; and,

18 4. By providing the opportunity for three or
19 more total service providers on this tower, we are
20 promoting the goal of the Comprehensive Plan to
21 encourage collocation in order to minimize the number
22 of telecommunication towers.

23 Staff would request that the Staff Report be
24 entered into the record as Exhibit A.

25 CHAIRMAN: Anyone here representing the

1 applicant?

2 MR. LAMBERT: Yes.

3 CHAIRMAN: Sir, do you chose to make any
4 comments or do you just like to respond to questions?

5 MR. LAMBERT: I'll make a brief comment.

6 CHAIRMAN: Step forward and be sworn, please.

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

9 MR. LAMBERT: Phil Lambert with Q-Wireless.

10 (PHIL LAMBERT SWORN BY ATTORNEY.)

11 MR. LAMBERT: I did bring along a copy of
12 referrals from the, these were sent to the Zoning
13 Planning Commission. I don't know if they made it to
14 the right department so I brought them along.

15 One of them is from the West Daviess County
16 Water District. The general manager supporting the
17 project because they also think it will be useful for
18 them to collocate equipment on the tower.

19 I also have a referral letter from Jiten Shah
20 with GRADD. Q-Wireless works very closely with GRADD.
21 Provide the wireless broadband services to the seven
22 county area of GRADD, including Daviess. This tower
23 is part of that initiative. We worked with GRADD and
24 the counties. This is going to help us bring
25 broadband to a larger area. So that's the primary

1 purpose of it. I don't know if these letters are
2 necessary. I can hand them off, if I have to.

3 CHAIRMAN: Mr. Howard, do we have copies?

4 MR. HOWARD: We have copies in the file.

5 MR. LAMBERT: You may have gotten. I don't
6 know if they made them to you or not. They were
7 mailed directly here by --

8 CHAIRMAN: Why don't you provide those to our
9 court stenographer. That way they will be a part of
10 the record. I think that will be the proper thing to
11 do.

12 MR. LAMBERT: Thank you.

13 CHAIRMAN: Anyone wish to speak in opposition
14 of this application?

15 MR. CRABTREE: Yes. My name is Phil Crabtree.

16 (PHIL CRABTREE SWORN BY ATTORNEY.)

17 MR. CRABTREE: I own the property that
18 surrounds the tower. I just want to be on record that
19 my home place is there, 40 acre of farm is there. I
20 have built a nice home there and I don't want a
21 flashing light. I've talked to Mr. Lambert. He's
22 confirmed that there will not be a flashing light on
23 top of the tower. I just want that to be on record,
24 that there will not be a flashing light on top of my
25 house all the time.

1 CHAIRMAN: I understand that. Thank you for
2 your comment.

3 Anyone else wishing to speak on this issue?

4 (NO RESPONSE)

5 CHAIRMAN: Any of the commissioners have any
6 questions or concerns?

7 MR. BOSWELL: Yes.

8 CHAIRMAN: Mr. Boswell.

9 MR. BOSWELL: Thank you, Mr. Chairman. A
10 couple of questions.

11 When I went out and visited the site, there's
12 a stake there with florescent tape around it. I'm not
13 sure. Is that the location for where the tower is
14 going to be?

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

17 MR. RINEY: Jim Riney.

18 (JIM RINEY SWORN BY ATTORNEY.)

19 MR. RINEY: Yes, Mr. Boswell, that stake was a
20 location stake. It's the approximate location of the
21 tower as shown on the drawings. That was used where I
22 made the measurement to check that clearance distance
23 between there and the nearest residential unit.
24 That's approximately within a foot or so.

25 MR. BOSWELL: Do we have any sense how far

1 away that lattice structure will be from the security
2 fence once it's built?

3 MR. RINEY: The foundation was originally set
4 up to be, if memory serves, 18 feet square. They've
5 talked about working with geotechnical structural
6 people to compact that slightly. So it will be a
7 little more than 9 feet and maybe a little further, as
8 far as proximity to the existing chain-link fence.

9 MR. BOSWELL: The concern that I had was if it
10 was so close to that security pen someone could access
11 the lattice by climbing up the fence and stepping onto
12 the lattice tower. I didn't know how close that was
13 going to be.

14 MR. RINEY: You and I are pretty tall there.
15 We wouldn't make that even if we were younger.

16 MR. BOSWELL: Thank you.

17 CHAIRMAN: Any other commissioners have any
18 questions?

19 (NO RESPONSE)

20 CHAIRMAN: If not the chair will entertain a
21 motion.

22 MR. JEAN: Mr. Chairman, I would like to make
23 a motion that we approve with the two waivers and to
24 stipulate there'd be no flashing light on top.

25 CHAIRMAN: You want to make that as an

1 additional condition?

2 MR. JEAN: Yes, I do. That's based on the
3 Findings.

4 CHAIRMAN: We need the Findings of Fact also.

5 MR. JEAN: Based on Findings of Fact 1 through
6 4.

7 CHAIRMAN: Do we have a second?

8 MS. McENROE: Second.

9 CHAIRMAN: Yes. Before we vote, sir, if you
10 would to like a comment.

11 MR. LAMBERT: I just want to make a quick note
12 that lights are not required on a tower under 200 feet
13 so we have no need to put a light on that.

14 CHAIRMAN: And you're comfortable with the
15 condition that there not be one on there?

16 MR. LAMBERT: Very comfortable, yes.

17 CHAIRMAN: We make that condition that's until
18 the world explodes.

19 MR. LAMBERT: Yes.

20 CHAIRMAN: I wanted to make sure
21 Mr. Crabtree's concern is covered because I think it's
22 very legitimate.

23 Any questions or concern about the motion?

24 (NO RESPONSE)

25 CHAIRMAN: All in favor raise your right hand.

1 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

2 CHAIRMAN: The application is approved. Thank
3 you.

4 MR. HOWARD: I will note that all zoning
5 changes heard tonight will become final 21 days after
6 the meeting unless an appeal is filed. If an appeal
7 is filed, we will forward the record of the meeting to
8 the appropriate legislative body for them to take
9 final action. The appeal forms are available in our
10 office, on the back table and on our website.

11 Zoning Changes

12 ITEM 4

13 1030 Burlew Boulevard, 3.46 acres
14 Consider zoning change: From B-4 General Business &
15 A-U Urban Agriculture to B-4 General Business
Applicant: Professional Properties & Construction;
Frank & Helen Wagner

16 PLANNING STAFF RECOMMENDATIONS

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

19 CONDITIONS

20 1. No access to New Hartford Road shall be
21 permitted;

22 2. Access to Burlew Boulevard shall be
23 limited to the single existing access point only.

24 FINDINGS OF FACT

25 1. Staff recommends approval because the

1 proposal is in compliance with the community's adopted
2 Comprehensive Plan;

3 2. The subject property is located within a
4 Business/Industrial Plan Area, where general business
5 and light industrial uses are appropriate in general
6 locations;

7 3. The subject property lies within an
8 existing area of mixed general business and light
9 industrial uses;

10 4. The Comprehensive Plan provides for the
11 continuance of mixed use areas; and,

12 5. The proposed land use for the subject
13 property is in compliance with the criteria for a
14 Business/Industrial Plan Area and a B-4 General
15 Business zoning classification.

16 MR. HILL: Staff request that the Staff Report
17 be entered into the record as Exhibit B.

18 CHAIRMAN: Thank you.

19 I forgot to remind everybody. Please make
20 sure you speak into the mike so we get a proper
21 recording. I have to remind myself of that also.

22 Anyone here representing the applicant?

23 APPLICANT REP: Yes.

24 CHAIRMAN: Would you like to make any comments
25 at this time, sir?

1 APPLICANT REP: No.

2 CHAIRMAN: You will be available for

3 questions.

4 Anyone here in opposition of the application?

5 (NO RESPONSE)

6 CHAIRMAN: Any commissioners have any

7 questions or concerns about the application?

8 (NO RESPONSE)

9 CHAIRMAN: If not then the chair will

10 entertain a motion.

11 MR. BOSWELL: I would like to make a motion

12 for approval based on the Planning Staff

13 Recommendations with Conditions 1 and 2 and the

14 Findings of Fact 1 through 5.

15 CHAIRMAN: We have a motion by Mr. Boswell.

16 Do we have a second?

17 MR. BALL: Second.

18 CHAIRMAN: Second by Mr. Ball. Any questions

19 about the motion?

20 (NO RESPONSE)

21 CHAIRMAN: All those in favor raise your right

22 hand.

23 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

24 CHAIRMAN: The application is approved.

25 Thank you.

1 ITEM 5

2 2426, 2428 2430 J.R. Miller Boulevard, 0.36 +/- acres
3 Consider zoning change: From R-1C Single-Family
4 Residential to B-4 General Business
5 Applicant: Kessinger, LLC

5 PLANNING STAFF RECOMMENDATIONS

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

8 CONDITIONS

9 1. Access to the property shall be limited to
10 the existing single access point to J.R. Miller
11 Boulevard through the frontage road and the alleys to
12 the south and west. No additional access to J.R.
13 Miller Boulevard shall be permitted.

14 2. The applicant shall provide landscape
15 buffer screening in compliance with Article 17 of the
16 zoning ordinance along the northern property boundary
17 where adjacent to residential property.

18 FINDINGS OF FACT

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

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

25 3. The proposed use as general business

1 conforms to the criteria for nonresidential
2 development;

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

6 5. At 0.36+/- acre, the proposal does not
7 significantly increase the extent of general business
8 zoning in the vicinity and should not overburden the
9 capacity of roadways and other necessary urban
10 services that are available in the affected area.

11 MR. HILL: Staff request that the Staff Report
12 be entered into the record as Exhibit C.

13 CHAIRMAN: Anyone here representing the
14 applicant?

15 MR. KESSINGER: Yes.

16 CHAIRMAN: Sir, would you like to make any
17 comments at this time?

18 MR. KESSINGER: No.

19 CHAIRMAN: Anyone here would like to speak in
20 opposition to this application?

21 If you'll take the stand please, ma'am.

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

24 MS. HAAS: Rose Haas.

25 (ROSE HAAS SWORN BY ATTORNEY.)

1 MS. HAAS: I live right behind this property
2 on 2427 Daviess Street. I'm concerned about what kind
3 of business this is going to be. Do we have any idea
4 what kind of business they're going to build back
5 there?

6 CHAIRMAN: We can ask the applicant if he has
7 any plans yet. Can't require him to say so. If he
8 would chose to answer that question, we'll bring him
9 up. It's up to him. Do you have any other questions?

10 MS. HAAS: That's what I'm concerned about.
11 So there is going to be some kind of boundary or fence
12 to give us privacy from, you know, on the backside
13 where the alley is?

14 CHAIRMAN: Mr. Howard.

15 MR. HOWARD: The Zoning Ordinance would
16 require a buffer along the north property boundary
17 where it joins residential, but with the alley being
18 there, the alley, based on the Zoning Ordinance, can
19 serve as a buffer between the commercial and the
20 residential.

21 CHAIRMAN: There's no requirement for any
22 fencing there.

23 MS. HAAS: I'm not for it honestly.

24 CHAIRMAN: Would you care to respond to that
25 question?

1 MR. KESSINGER: Sure.

2 CHAIRMAN: Please come to the stand.

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

4 MR. KESSINGER: Gary Kessinger.

5 (GARY KESSINGER SWORN BY ATTORNEY.)

6 MR. KESSINGER: What we're planning on doing

7 there is eventually putting a real estate company

8 there. Genesis Realty of Western Kentucky, my

9 company. It's going to be just like Rose Realty on

10 Frederica. Most of you all are familiar with Rose and

11 Mike Garant and their property there. It's not going

12 to change the looks of the house. It's going to still

13 look like a house. It's just going to be a real

14 estate office ran through the house. We're not trying

15 to go in and change the face of the community there.

16 We're just wanting to start the business there.

17 CHAIRMAN: Ma'am, does that answer your

18 question?

19 MS. HAAS: Yes.

20 CHAIRMAN: Anyone else in the audience like to

21 comment?

22 Yes, if you would come to the stand, please.

23 MS. KNIGHT: Please state your name for the

24 record.

25 MS. SHELLY: My name is Katie Shelly.

1 (KATIE SHELLY SWORN BY ATTORNEY.)

2 MS. SHELLY: I'm just concerned about the
3 whole area in there. I have rental property on each
4 side of me. Franey's grocery store is right behind
5 me. I'm just concerned about that whole area. Are
6 they trying to make a business out of that whole area
7 through there? I'm just concerned about our
8 properties.

9 CHAIRMAN: Ma'am, I don't think we can address
10 anything other than this one application. I'm
11 familiar with the property. I stop at Franey's there
12 quite frequent. I'm familiar with the street you live
13 on and the property there. What's down the road, I
14 don't think this board could address. Anyone that
15 purchases some property there are certainly free to
16 make an application for rezoning if they chose to do
17 so. As far as what the future holds, we wouldn't
18 really know.

19 MS. SHELLY: I know this is probably not the
20 time and place to bring this up, but Franey's grocery
21 store, when kids come in there with loud cars and
22 their radios are blasting, my windows literally
23 shaking. I know this is probably not the quorum to
24 bring this up. I'm just concerned about businesses.

25 CHAIRMAN: We don't mind hearing it. That

1 would be something that would need to be addressed by
2 the police. Either that or call Mr. Franey who I
3 think is probably a fine gentleman. I'm not sure he
4 can be there 24 hours a day to make sure somebody
5 doesn't have their woofers going real loud. I
6 certainly understand your concern. Thank you very
7 much.

8 Anyone else wish to peak to the issue?

9 MS. KNIGHT: Please state your name.

10 MS. CARTER: Alyssa Carter.

11 (ALYSSA CARTER SWORN BY ATTORNEY.)

12 MS. CARTER: I also live right there on the
13 block. I live at 2418 Daviess Street. I'm across.
14 I'm going to facing it. I am happy to hear that it's
15 going to be a real estate company and not some other
16 type of store that could bring in potentially louder
17 customers. I also have the same concerns in that here
18 at the last little bit we've seen a lot of shift in
19 our neighborhood. We've got the bank behind on the
20 back end of us that just bought a whole block. Now
21 this side of the block it's been bought out. Then the
22 house that neighbors me that joins my backyard has had
23 posting on it where it was busted for meth, and it
24 still hasn't been cleaned up.

25 I'm with them and I agree that I'm just

1 concerned with the amount of business that is coming
2 in when the neighborhood itself is not being taken
3 care of.

4 CHAIRMAN: I understand that. I would applaud
5 you all for noticing signs that go up. Any time
6 anybody makes an application to make a change they do
7 come before this commission. You're always welcome to
8 come down here. You may prevail when you come down
9 here. We're always willing to listen to your concerns
10 and we'll listen to you very carefully and consider
11 any facts that you bring to us. I know about the
12 development you're talking about. Some of these folks
13 have been similarly impacted.

14 MS. CARTER: My main concern is I have a young
15 daughter. You do get a lot of loudness from Franey's
16 side. I'm not really sure what's going to happen with
17 the bank on the other side. Now we have another
18 company coming in. Like I said, we still have
19 neighbors. There are houses in the neighborhood that
20 are not being cleaned up that are being visited by the
21 police often. Our properties are not being able to
22 sell. Our property value is decreasing.

23 CHAIRMAN: There is two things I have to
24 suggest to you. One is if there's deterioration on a
25 property, that would be for Mr. Joe Sublett who is the

1 city property inspector. Call him. Call City Action
2 Line, but I would encourage you, make sure you speak
3 to Mr. Sublett. Just leave a message. Also never be
4 reluctant to call the police department. We have a
5 wonderful police department. I think they would be as
6 responsive as they possibly can. Again, Mr. Franey
7 can't be there all the time, but I think he certainly
8 wants to run a nice operation in any neighborhood that
9 Mr. Franey is in. Any time something comes up and you
10 notice or change, please we invite. You come down
11 here and let us know because your opinion is important
12 to us. We want this to be a good community also for
13 all the folks. Any time your neighborhood gets any
14 kind of, receives threat, then it's our job to listen
15 to you. I assure you we'll do that.

16 MS. CARTER: Thank you.

17 MR. KESSINGER: Can I say one more thing?

18 CHAIRMAN: Come to the podium, if you don't
19 mind.

20 MR. KESSINGER: Any time there's a change I
21 can understand people are apprehensive about it. I've
22 had those houses next to Franey's heading north for
23 several years. There's never been any problems there.
24 They're clean. They're neat. They're taken care of.
25 It's going to continue to be that way with the

1 business of Genesis Realty. You can look at any of
2 the real estate companies in town, Steve Castlen, Tony
3 Clark, Rose Realty, it's not to my benefit to mess up
4 and junk up the place or cause noise. We cater to
5 people and we want it to be nice. We want it to look
6 good. It's going to continue to remain in good shape
7 and we're going to take care of the community. It's
8 not going to be at nighttime, people running in and
9 out of there at nighttime. It's going to be something
10 that the neighborhood is not even going to notice is
11 there basically. Real estate company you've got cars
12 coming occasionally there during the daytime. They
13 will be there for just a few minutes, and then we're
14 gone looking at houses. They don't want to see my
15 house that's there, my business there. They want to
16 see stuff out in the community. It's not going to
17 impact the community at all.

18 CHAIRMAN: Thank you very much, Mr. Kessinger.
19 Anyone else in the audience like to speak to
20 the issue?

21 (NO RESPONSE)

22 CHAIRMAN: Commissioners have any questions?

23 Mr. Kazlauskas.

24 MR. KAZLAUSKAS: Mr. Chairman, I would like to
25 ask the applicant if he's going to share with us and

1 the people in the audience, one of the houses is going
2 to be made into a real estate agency, but we're being
3 asked to change the zoning on all three houses there.
4 Do you have plans for the other two that you can share
5 with us?

6 MR. KESSINGER: That's a good question,
7 Mr. Kazlauskas. I really don't have any plans right
8 now. May have something in there that would not
9 impact the community as far as changing the looks of
10 it possibly down the road. They're rented right now.
11 Possibly down the road a dress shop or something like
12 that. Nothing like Franey's, as they're saying like
13 Franey, you know, that's going to impact the community
14 like that. We're not trying to attempt to change the
15 buildings themselves. We want to leave the buildings
16 like they are. Only just make the upgrade that we
17 need to do.

18 MR. KASSINGER: Thank you.

19 CHAIRMAN: Anyone else have any questions on
20 the commission?

21 (NO RESPONSE)

22 CHAIRMAN: If not the chair will entertain a
23 motion.

24 MR. FREY: Mr. Chairman, I would like to make
25 a motion for approval based on Planning Staff

1 Recommendations, Findings of Fact 1 through 5 with
2 Conditions 1 through 2.

3 CHAIRMAN: We have a motion by Mr. Frey. Do
4 we have a second to the motion?

5 MR. MOORE: Second.

6 CHAIRMAN: Second by Mr. Moore. Any questions
7 about the motion?

8 (NO RESPONSE)

9 CHAIRMAN: All in favor raise your right hand.

10 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

11 CHAIRMAN: The application is approved.

12 Thank you neighbors for coming. We always
13 want to hear from you and we'll listen to you very
14 carefully.

15 ITEM 6

16 9931 & 9945 Oak Street, Whitesville, 0.75 acre
17 Consider zoning change: From B-4 General Business to
18 R-3MF Multi-Family Residential
Applicant: Barnett Property Management, LLC

19 MR. HILL: It is typical for Staff to read the
20 Staff Report in its entirety into record on cases
21 where there's recommendation for denial.

22 PROPOSED ZONE & LAND USE PLAN

23 The applicant is seeking a R-3MF Multi-Family
24 Residential zone. The subject property is located in
25 a Business Plan Area where urban mid-density

1 residential uses are appropriate in limited locations.

2 SPECIFIC LAND USE CRITERIA

3 (A) Building and lot patterns - Building and
4 lot patterns should conform to the criteria for "Urban
5 Residential Development" (D6).

6 (B) Existing, expanded or new sanitary sewers
7 - Urban Mid-Density Residential uses should occur only
8 where sanitary sewer systems exist or may be expanded,
9 or where new systems may be properly established.

10 (C) Logical expansions - Existing areas of
11 Urban Mid-Density Residential uses may be expanded
12 onto contiguous land. An expansion of this use should
13 not overburden the capacity of roadways and other
14 necessary urban services that are available in the
15 affected area.

16 (D) New locations near major streets - In
17 Urban Residential, Professional/Service, Business, and
18 Rural Community plan areas, new locations of Urban
19 Mid-Density Residential uses should be
20 "major-street-oriented" (D2).

21 (E) New locations adjoining non-residential
22 uses - If new location of Urban Mid-Density
23 Residential uses are located in Professional/Service
24 or Business plan areas, they should be cited on the
25 fringes of such areas where they would serve as

1 "buffer uses" (D1).

2 PLANNING STAFF REVIEW

3 GENERAL LAND USE CRITERIA

4 Environment

5 * It appears that the subject property is not
6 located in a wetlands area per the US Department of
7 Agriculture Soil Conservation Service dated March 6,
8 1990.

9 * The subject property is not located in a
10 special flood hazard area per FIRM Map 21059C0340D.

11 * It appears that the subject property is not
12 within the Owensboro Wellhead Protection area per the
13 OMU map dated 2015.

14 * The developer is responsible for obtaining
15 permits from the Division of Water, The Army Corp of
16 Engineers, FEMA, the EPA, the OMPC
17 building/electrical/HVAC division or other state and
18 federal agencies as may be applicable.

19 Urban Services

20 All urban services, including sanitary sewer,
21 are available to the site.

22 Development Patterns

23 Two B-4 zoned parcels totaling 0.75 acres
24 within the City of Whitesville are the subject
25 properties of this rezoning request. The applicant

1 proposes to rezone both parcels to R-3MF Multi-Family
2 Residential and intends to redevelop the property as
3 apartments.

4 In 1985 Palmer Oil Company operated a gas
5 station on the eastern portion of the subject property
6 and successfully petitioned to have the western
7 portion rezoned from R-1A to B-4 in order to construct
8 a car wash. A final development plan was also
9 approved in 1985 for the proposed car wash facility on
10 the property. The subject properties are surrounded
11 by single-family residential parcels zoned either R-1A
12 or R-1B.

13 If the rezoning is approved, the applicant
14 will be required to provide vehicular use area
15 screening compliant with Article 17 of the zoning
16 ordinance around the perimeter of any proposed parking
17 area that faces any residential property or Oak Street
18 right-of-way.

19 Prior to occupancy of the property the
20 applicant must obtain approval of a development plan
21 to demonstrate compliance with zoning ordinance
22 requirements including, but not limited to, parking,
23 landscaping, building setbacks, access management and
24 signage.

25 SPECIFIC LAND USE CRITERIA

1 The applicant's proposal is not in compliance
2 with the Comprehensive Plan. The proposed use as
3 multi-family residential conforms to the criteria for
4 urban residential development and the subject
5 properties are in an area served by sanitary sewers.
6 However, the proposal is not a logical expansion of
7 existing R-3MF zoning in the area. The proposal is
8 not major street oriented and it would not serve as a
9 buffer between a higher intensity use and a lower
10 intensity use.

11 PLANNING STAFF RECOMMENDATIONS

12 The Planning Staff recommends denial subject
13 to the findings of fact that follow:

14 FINDINGS OF FACT

15 1. Staff recommends denial because the
16 proposal is not in compliance with the community's
17 adopted Comprehensive Plan;

18 2. The subject property is located in a
19 Business Plan Area where urban mid-density residential
20 uses are appropriate in limited locations;

21 3. The proposed use as multi-family
22 residential conforms to the criteria for urban
23 residential development;

24 4. The proposal is not a logical expansion of
25 existing R-3MF Multi-Family Residential zoning in the

1 area;

2 5. The proposal is not major street oriented;
3 and

4 6. The proposal would not serve as a buffer
5 between a higher intensity use and a lower intensity
6 use.

7 MR. HILL: Staff request that the Staff Report
8 be entered into the record as Exhibit D.

9 CHAIRMAN: Is anyone here representing the
10 applicant?

11 MR. BARNETT: Yes.

12 CHAIRMAN: Do you want to make any comments at
13 this time?

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

16 MR. BARNETT: Travis Barnett with Barnett
17 Property Management.

18 (TRAVIS BARNETT SWORN BY ATTORNEY.)

19 MR. BARNETT: Currently the lots we're trying
20 to have rezoned for commercial, there's an abandon car
21 cash that sits there.

22 Over the years the property has become an
23 eyesore for the City of Whitesville. The neighbors
24 have even complained about a lot of suspicious
25 activities going on there.

1 If we're able to get the site rezoned, our
2 plan is to build a six unit apartment complex there
3 next summer. The following year in 2018 we plan to
4 another six unit complex for a total 12 units there
5 when we're finished.

6 Last summer our company built Legacy Village
7 Apartment Complex in Whitesville. It's a six unit
8 complex. They're staying occupied and we continue to
9 get phone calls every week from people requesting to
10 be added to our waiting list. So the demand is
11 definitely there. That's why we're wanting to build
12 more.

13 It seems the whole community of Whitesville is
14 excited about the possible development of the abandon
15 site. We've received no negative feedback.

16 I've already had the entire Whitesville City
17 Commission, including the mayor, sign a letter saying
18 they approve the rezoning from general business to
19 multi-family. I think those letters are included in
20 your packet. I hope you guys are able to approve it.

21 CHAIRMAN: Thank you very much.

22 Is there anyone here like to speak in
23 opposition?

24 MS. KNIGHT: Please state your name.

25 MR. VALDEZ: Jessie Valdez.

1 (JESSIE VALDEZ SWORN BY ATTORNEY.)

2 MR. VALDEZ: With this multi-family home unit,
3 I submitted that to the commission as well. With that
4 the rezoning of the property inside the city limites
5 of Whitesville is strongly opposed by several reasons,
6 included but not limited to the reduction of property
7 value inside the city center and downtown area due to
8 the continuous expansion of multi-family rental
9 properties. Prior property permit has been highly
10 skewed to low income and Section 8 rentals. The
11 increase in crime in Whitesville associated with
12 recent prior expansion of multi-family housing. The
13 city does not have an independent enforcement function
14 and is dependent on state and county resources for the
15 prevention of investigation, prosecution of crimes,
16 domestic matters. The balance of a single-family
17 multi-unit and business and other property type inside
18 the limited footprints of Whitesville needs to further
19 review in consideration with the focus on the future
20 requirements to support any changes and desire of all
21 residents within the city. Just as an owner I've made
22 a conscious effort to revise the City Center in
23 downtown. The City of Whitesville needs the same
24 opportunity to development a Comprehensive Plan
25 practice for its future. I'm not for it.

1 CHAIRMAN: Thank you very much. Appreciate
2 it.

3 I would like to ask Counsel, Mr. Howard and
4 Counsel: Any issues that we need to be aware of or
5 concerned with on this application?

6 MS. KNIGHT: Well, in general this commission
7 can't consider Section 8 or low housing at all in
8 making the decision. We can't consider whether these
9 would be potentially developed and rented to
10 minorities, low income, certain types of families.
11 It's not part of the consideration.

12 CHAIRMAN: That's very helpful.

13 Anyone else in the audience like to speak in
14 favor of or opposition to?

15 MR. BARNETT: I would like to respond, if I
16 could.

17 CHAIRMAN: Please do, yes, sir. You're
18 welcome to.

19 MR. BARNETT: Mr. Valdez stated that he
20 believed the apartment complex would decrease the
21 value of the neighborhood, but I would argue that
22 point. I believe that a abandon car wash with
23 suspicious activity going on would be more likely to
24 decrease his property value than a multi-family
25 apartment complex.

1 CHAIRMAN: Thank you.

2 Mr. Rogers, have you heard any comments or any

3 concerns - you represent Whitesville - from the

4 neighbors or the community?

5 MR. ROGERS: Mr. Chairman, I have not.

6 Mr. Valdez, do you live in this area here?

7 MR. VALDEZ: I own property in that next

8 adjoining, across the street. I don't know how to

9 describe it. It's in the curve there.

10 MR. ROGERS: It's not listed on ours.

11 MR. VALDEZ: It should be S&S. Next to Locust

12 Street, the corner.

13 CHAIRMANS: Sand One, LLC?

14 MR. VALDEZ: It's S&S, but it looks like Sand,

15 yes.

16 CHAIRMAN: Do you reside there?

17 MR. VALDEZ: Do I reside there, no, but I own

18 property there.

19 CHAIRMAN: That was your question, wasn't it,

20 Mr. Rogers?

21 MR. ROGERS: Yes.

22 MR. VALDEZ: No.

23 MR. ROGERS: Do you reside there or rent the

24 place?

25 MR. VALDEZ: I tell you. There was an old

1 house there that was tore down. I tore it down
2 because it was an eyesore.

3 As far as regards to the car wash, the car
4 wash was still active and being used. It was not --
5 it was still being actively used at that location. As
6 far as it being abandon, I don't know of anything of
7 that nature because it was still being utilized.

8 MR. ROGERS: As far as I'm concerned, the car
9 wash is abandon now. At one time just the middle bay
10 is all they were using, but it appears to be abandon
11 now.

12 MR. VALDEZ: We've also had problems with
13 other units that have been built with couches being
14 left. In fact, it was built near the park, but the
15 couch being left outside for a month next to the
16 dumpster and never disposed of. So this kind of
17 activity, you know, kind of comes with multi-unit. I
18 still don't care, ask the board to disapprove it.

19 CHAIRMAN: I have a question for Mr. Howard or
20 Mr. Hill, whichever is appropriate.

21 Give us as specific in layman's commissioner
22 language you can what would be the reason for
23 recommendation for denial. I read through here. I
24 get the gist of it, but I want to get it down for me.

25 MR. HOWARD: Sure. I'll be glad to do that.

1 Basically we have a Comprehensive Plan land
2 use map and any time a rezoning is submitted we look
3 at that map. It has criteria on the back. It's
4 basically a formula. We look at a formula. We look
5 at the criteria. Does it meet? Does it meet? Does
6 it meet? If it does, we recommend approval. If we
7 doesn't, we recommend denial. In this instance, we
8 found that it did not meet those criteria because it
9 was not a logical expansion of existing multi-family
10 in the vicinity with there being single-family
11 residential zone and surrounding it. So based on the
12 formula of the Comprehensive Plan land use map, that's
13 why we recommended denial.

14 CHAIRMAN: You wanted to make another comment
15 I believe, sir?

16 MR. BARNETT: I will make another quick
17 comment.

18 I understand his concern about the abandon
19 couches or trash he was talking about, but I just want
20 to make it noted that the apartment complex he's
21 talking about, that's not our apartment complex. Ours
22 is the Legacy Village across from the fire department.
23 You'll never see anything like that at any of our
24 properties. I just wanted that to be known.

25 CHAIRMAN: Thank you.

1 Any other commissioners have any questions?

2 Mr. Boswell.

3 MR. BOSWELL: Thank you, Mr. Chairman.

4 I was just curious, you mentioned six units at
5 two different times. Have any consideration, since
6 that is, I guess, an infrequently road, it used to be
7 the main highway years ago, but any consideration as
8 far as the increased traffic that would be associated
9 to building these units there?

10 MR. BARNETT: As you said, it was the main
11 road, Highway 54 for years, so there's no concern that
12 it could handle a lot of traffic daily.

13 MR. BOSWELL: Thank you.

14 CHAIRMAN: Any other questions?

15 (NO RESPONSE)

16 CHAIRMAN: If not the chair will entertain a
17 motion.

18 Mr. Rogers.

19 MR. ROGERS: Mr. Chairman, I make a motion for
20 approval based on the Findings of Facts there have
21 been major changes of economic, physical or social
22 nature within the area involved which were not
23 anticipated in the adopted Comprehensive Plan and
24 those changes have substantially altered the basic
25 character of the area involved.

1 2. The relocation of Highway 54 further away
2 from the subject property lessen the appropriateness
3 of the property to continue to be used commercially.

4 3. Multi-family residential is one type of a
5 variety of residential land uses encouraged by the
6 Comprehensive Plan. In order for the community to be
7 able to offer suitable housing choices for a wide
8 range of its residents.

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

11 MR. BOSWELL: Second.

12 CHAIRMAN: Second by Mr. Boswell. Any
13 questions or concerns from any commissioners regarding
14 the motion?

15 (NO RESPONSE)

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

18 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

19 CHAIRMAN: The application then is passed.

20 ITEM 7

21 Portion of 3517 Pleasant Valley Road, 6.195 acres
22 Consider zoning change: From A-R Rural Agriculture to
23 R-1A Single-Family Residential
24 Applicant: Jesse Newcomb

24 PLANNING STAFF RECOMMENDATIONS

25 The Planning Staff recommends approval subject

1 to the condition and Findings of Fact that follow:

2 CONDITION

3 Approval of a consolidation plat to
4 consolidate the subject property with the Oakridge
5 Court properties.

6 FINDINGS OF FACT

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

10 2. The subject property is located in a Rural
11 Preference Plan Area, where single-family residential
12 uses are appropriate in very limited locations;

13 3. The subject property will be consolidated
14 with multiple existing lots located on a public
15 street, Oakridge Court, within Brookview Subdivision;

16 4. The proposal adds area to existing parcels
17 that are already large enough to assure satisfactory
18 operation of conventional septic tank systems;

19 5. The proposed zoning change is a logical
20 expansion of existing R-1A zoning located to the west;

21 6. At 6.195 acres, the proposal is not a
22 significant increase in R-1A zoning in the vicinity
23 and should not overburden the capacity of roadways and
24 other necessary urban services that are available in
25 the affected area; and

1 7. The proposal does not create any new
2 parcels; therefore there will not be any potential new
3 property owners who need to be advised of potential
4 coal mining activities in the rural area.

5 MR. HILL: Staff request that the Staff Report
6 be entered into the record as Exhibit E.

7 CHAIRMAN: Anyone here representing the
8 applicant?

9 (NO RESPONSE)

10 CHAIRMAN: Anyone here that would like to
11 speak in opposition of this application?

12 (NO RESPONSE)

13 CHAIRMAN: Any commissioners have any
14 questions of Staff regarding the application?

15 (NO RESPONSE)

16 CHAIRMAN: The chair will entertain a motion.

17 MR. BALL: I would like to make a motion to
18 approve based on the one condition and Findings of
19 Fact 1 through 7.

20 CHAIRMAN: We have a motion by Mr. Ball. Do
21 we have a second?

22 MR. JEAN: Second.

23 CHAIRMAN: Second by Mr. Jean. Any questions
24 about the motion?

25 (NO RESPONSE)

1 CHAIRMAN: All in favor raise your right hand.

2 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

3 CHAIRMAN: The application is approved.

4 ITEM 8

5 620 Salem Drive, 2.015 acres

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

7 Applicant: Chris & Lisa Hyland

8 PLANNING STAFF RECOMMENDATIONS

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

11 CONDITIONS

12 1. Outdoor storage shall be screened by a
13 minimum six foot tall solid wall or fence.

14 2. Any gravel that is not located within an
15 outdoor storage area that is screened by a six foot
16 tall solid wall or fence must either be removed or
17 paved over with concrete or asphalt.

18 FINDINGS OF FACT

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

22 2. The subject property is located within a
23 Business/Industrial Plan Area, where general business
24 and light industrial uses are appropriate in general
25 locations;

1 3. The subject property lies within an
2 existing area of mixed general business and light
3 industrial uses;

4 4. The Comprehensive Plan provides for the
5 continuance of mixed use areas; and

6 5. The proposed land use for the subject
7 property is in compliance with the criteria for a
8 Business/Industrial Plan Area and a B-5
9 Business/Industrial zoning classification.

10 MR. HILL: Staff request that the Staff Report
11 be entered into the record as Exhibit F.

12 CHAIRMAN: Anyone here representing the
13 applicant?

14 APPLICANT REP: Yes.

15 CHAIRMAN: Do you wish to make any comments,
16 sir?

17 APPLICANT REP: No. Thank you.

18 CHAIRMAN: We may have questions for you.

19 Anybody here in opposition of the application?

20 (NO RESPONSE)

21 CHAIRMAN: Any questions by any of the
22 commissioners regarding the application?

23 (NO RESPONSE)

24 CHAIRMAN: If not the chair will entertain a
25 motion.

1 Mr. Moore.

2 MR. MOORE: Mr. Chairman, I'd like to make a
3 motion for approval based on Staff's Findings of Fact
4 1 through 5 and Condition 1 and 2.

5 CHAIRMAN: We have a motion by Mr. Moore. Do
6 we have a second?

7 MR. FREY: Second.

8 CHAIRMAN: Second by Mr. Frey. Any questions
9 about the motion?

10 (NO RESPONSE)

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

13 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

14 CHAIRMAN: The application is approved.

15 Thank you.

16 ITEM 9

17 301 East 16th Street, 1.050 acres
18 Consider zoning change: From I-1 Light Industrial to
19 B-5 Business/Industrial
Applicant: McHayden Properties, LLC

20 PLANNING STAFF RECOMMENDATIONS

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

23 CONDITIONS

24 1. No access to J.R. Miller Boulevard shall
25 be permitted;

1 2. Outdoor storage areas shall be screened by
2 a minimum 6 foot tall solid wall or fence.

3 FINDINGS OF FACT

4 1. Staff recommends approval because the
5 proposal is in compliance with the community's adopted
6 Comprehensive Plan;

7 2. The subject property is located within a
8 Business/Industrial Plan Area, where general business
9 and light industrial uses are appropriate in general
10 locations;

11 3. The subject property lies within an
12 existing area of mixed general business and light
13 industrial uses;

14 4. The Comprehensive Plan provides for the
15 continuance of mixed use areas; and,

16 5. The proposed land use for the subject
17 property is in compliance with the criteria for a
18 Business/Industrial Plan Area and a B-5
19 Business/Industrial zoning classification,

20 MR. HILL: Staff request that the Staff Report
21 be entered into the record as Exhibit G.

22 CHAIRMAN: Anyone here representing the
23 applicant?

24 APPLICANT REP: Yes.

25 CHAIRMAN: Anyone here in opposition of the

1 application?

2 (NO RESPONSE)

3 CHAIRMAN: Any board members have any

4 questions about the application?

5 (NO RESPONSE)

6 CHAIRMAN: Chair will entertain a motion.

7 Mr. Ball.

8 MR. BALL: I'd like to make a motion to

9 approve based on Planning Staff Recommendations,

10 Conditions 1 through 2 and Findings of Fact 1 through

11 5.

12 CHAIRMAN: We have a motion by Mr. Ball. Do

13 we have a second?

14 MR. BOSWELL: Second.

15 CHAIRMAN: We have a second by Mr. Boswell.

16 Any questions about the motion?

17 (NO RESPONSE)

18 CHAIRMAN: All in favor raise your right hand.

19 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

20 CHAIRMAN: The application is approved.

21 -----

22 NEW BUSINESS

23 ITEM 10

24 Consider approval of February 2016 Financial

25 statements.

1 CHAIRMAN: Ready to look at the financial
2 report. All of you received a copy of the financial
3 statements with your packet of materials. Do we have
4 any questions or concerns about the financial
5 statements?

6 (NO RESPONSE)

7 CHAIRMAN: If not then the chair will
8 entertain a motion for approval.

9 MR. KAZLAUSKAS: So move to be approved.

10 CHAIRMAN: Motion by Mr. Kazlauskas.

11 MS. McENROE: Second.

12 CHAIRMAN: Second by Ms. McEnroe. Questions
13 about the motion?

14 (NO RESPONSE)

15 CHAIRMAN: All in favor raise your right hand.

16 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

17 CHAIRMAN: The financial statements are
18 approved.

19 ITEM 11

20 Comments by the Chairman

21 CHAIRMAN: I have no comments.

22 ITEM 12

23 Comments by the Planning Commissioners

24 CHAIRMAN: I think Mr. Kazlauskas has one and
25 maybe some of the other commissioners do.

1 MR. KAZLAUSKAS: Thank you, Mr. Chairman.

2 At our last work session we had
3 representatives from OMU and from the Department
4 Division of Water, State of Kentucky Division of Water
5 where we asked for information as to what future
6 zoning applications and the possible passage of them.
7 My impact, OMU's wellhead wells up in the eastern part
8 of the county, east of Owensboro. That meeting ran
9 for a pretty good while. Very lengthy. There was a
10 lot of information shared. The board at that time did
11 not come to any consensus. For those of us that were
12 there, the Chairman appointed Mr. Manuel Ball and
13 myself to meet with Brian Howard to see if we could
14 come up with some type of an idea of how we would
15 approach rezoning in the future when it could quite
16 possibly have an impact on the artesian wells in the
17 city and the county.

18 Last month Mr. Ball and myself and our
19 director met. We labored for many minutes,
20 Mr. Chairman, and had a healthy exchange of ideas. I
21 think basically what we came up with and we wanted to
22 present to you and the rest of the commissioners was
23 that any time a zoning application became before us or
24 in fact came to the Staff, that the Staff would make
25 aware Owensboro Municipal Utilities, the Kentucky

1 Department of Water, and local and/or state EPA, that
2 there was an application for a zoning amendment or a
3 change that could in the future impact where the
4 wellheads are located and the artesian wells. We felt
5 that with the Staff making those three agencies aware,
6 that this commission was doing its due diligence in
7 waiting for feedback from those three agencies.

8 We would like to bring that to the commission.
9 I guess what we were asking was a consensus of the
10 board that our director move forward with that idea.

11 That covers our responsibilities as a
12 commission when we make these three agencies aware of
13 what's going on, and at that point we would ask
14 feedback from them.

15 Mr. Ball might have some comments.

16 CHAIRMAN: Mr. Ball, do you have anything to
17 add?

18 MR. BALL: I believe he covered it all very
19 well. We had a good session. I think that's the way
20 to go.

21 CHAIRMAN: I really appreciate you bringing
22 this to us earlier, Mr. Kazlauskas, because our water
23 is one of our greatest resources in our community. So
24 I think protecting that is critical.

25 Don't think we need to have a vote

1 necessarily, but would anybody object if Mr. Howard
2 would do this routinely when those applications come
3 in that are in that wellhead area?

4 (ALL BOARD MEMBERS NODDED RESPONDING YES.)

5 CHAIRMAN: Mr. Howard, if you wouldn't mind to
6 make those notifications to them.

7 Any other commissioners have any comments?

8 (NO RESPONSE)

9 ITEM 13

10 Comments by the Director

11 MR. HOWARD: Just to piggyback on that.
12 Assuming that you all would be in favor of that, we
13 have e-mail addresses to each of those three agencies.
14 I don't know if you noticed on the Staff Reports this
15 month, but under the Environmental section we altered
16 one of the paragraphs to include the EPA and the
17 Division of Water and FEMA and all of those people.
18 We're certainly prepared to move forward with that.

19 The only other thing I would note is, and I
20 mentioned it last month, but the spring American
21 Planning Association Kentucky Chapter Conference is in
22 Bowling Green this year. That's May 18th through
23 20th. Again, if any of the board members would like
24 to attend, there is a Thursday session that's geared
25 specifically towards Planning Commission and Board of

1 Adjustment members that would be put on by a land use
2 attorney within the state, and one of the Planning
3 Directors from Northern Kentucky, which I think would
4 be good. So if any of you all that would like to
5 attend that, just let us know and we'll get you
6 registered.

7 CHAIRMAN: I think the date on that was?

8 MR. HOWARD: May 18th through 20th.

9 CHAIRMAN: 19th is that session.

10 MR. HOWARD: Thursday the 19th is all day.
11 You will receive 7, 7 1/2 hours. I don't remember
12 exactly what they have slated hours of House Bill 55
13 Continuing Education requirements, which you're
14 required to get eight every two years. So basically
15 this one session, that with the other training
16 opportunities that we provide before meetings
17 sometimes should get you clear for two years worth of
18 continuing education hours.

19 CHAIRMAN: Thank you, Mr. Howard.

20 Ms. Hardaway, we need to get you on record.
21 You want to make the last motion.

22 MS. HARDAWAY: A motion to adjourn.

23 MR. MOORE: Second.

24 CHAIRMAN: Second by Mr. Moore. All in favor
25 raise your right hand.

1 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

2 CHAIRMAN: We are adjourned.

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

3 I, LYNNETTE KOLLER FUCHS, Notary Public in and
4 for the State of Kentucky at Large, do hereby certify
5 that the foregoing Owensboro Metropolitan Planning
6 Commission meeting was held at the time and place as
7 stated in the caption to the foregoing proceedings;
8 that each person commenting on issues under discussion
9 were duly sworn before testifying; that the Board
10 members present were as stated in the caption; that
11 said proceedings were taken by me in stenotype and
12 electronically recorded and was thereafter, by me,
13 accurately and correctly transcribed into the
14 foregoing 50 typewritten pages; and that no signature
15 was requested to the foregoing transcript.

16 WITNESS my hand and notary seal on this the
17 10th day of April, 2016.

19
20
21

LYNNETTE KOLLER FUCHS
NOTARY ID 524564
OHIO VALLEY REPORTING SERVICES
2200 E. PARRISH AVE, SUITE 106E
OWENSBORO, KENTUCKY 42303

23 COMMISSION EXPIRES: DECEMBER 16, 2018

24 COUNTY OF RESIDENCE: DAVIESS COUNTY, KENTUCKY