1	OWENSBORO METROPOLITAN PLANNING COMMISSION
2	DECEMBER 12, 2019
3	The Owensboro Metropolitan Planning Commission
4	met in regular session at 5:30 p.m. on Thursday,
5	December 12, 2019, at City Hall, Commission Chambers,
б	Owensboro, Kentucky, and the proceedings were as
7	follows:
8	MEMBERS PRESENT: Larry Moore, Chairman Brian Howard, Director
9	Terra Knight, Attorney Irvin Rogers
10	Beverly McEnroe Manuel Ball
11	Fred Reeves
12	Angela Hardaway Larry Boswell Jay Velotta
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15	CHAIRMAN: I would like to call the December
16	12th Owensboro Metropolitan Planning Commission
17	meeting to order. We usually start our meetings with
18	a prayer and pledge. Would you please stand.
19	(INVOCATION AND PLEDGE OF ALLEGIANCE.)
20	CHAIRMAN: Thank you. In order to have a nice
21	smooth meeting, we have some guidelines that we ask
22	everyone to please follow.
23	If you want to speak on any of the issues that
24	come before this commission, come to one of the
25	podiums and be sworn in by our attorney.

1 We ask that you direct all of your questions 2 to the chair who in turn will try to find those 3 answers for you. We ask that you stay on topic. 4 Finally, we ask that you be respectful. Follow all of those and we'll have a nice smooth meeting. 5 6 All the commissioners should have received the 7 minutes from last month's meeting. Does anyone have 8 any questions or concerns about those. 9 (NO RESPONSE) CHAIRMAN: Hearing none the Chair is ready for 10 11 a motion. Mr. Ball. 12 13 MR. BALL: Motion to approve the minutes. 14 CHAIRMAN: Motion to approve. Do we have a 15 second? 16 MS. McENROE: Second. 17 CHAIRMAN: Second by Commissioner McEnroe. 18 All in favor of that motion and the second please 19 indicate by raising your right hand. 20 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.) 21 CHAIRMAN: Motion carries. 22 MR. HOWARD: Under Zoning Changes, we will 23 note that the zoning changes heard tonight will become final in 21 days after the meeting unless an appeal is 24 25 filed. If an appeal is filed, we will forward the

record of this meeting along with all applicable 1 2 materials to the appropriate legislative body for them 3 to take final action. Those appeal forms are on the 4 back table, in our office and on our website. 5 \_\_\_\_\_ GENERAL BUSINESS 6 7 ZONING CHANGES 8 ITEM 3 9 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 10 Applicant: Ken Croft 11 12 MS. KNIGHT: Please state your name for the 13 record. 14 MS. EVANS: Melissa Evans. 15 (MELISSA EVANS SWORN BY ATTORNEY) 16 PLANNING STAFF RECOMMENDATIONS 17 The Planning Staff recommends approval subject 18 to the findings of fact that follow: 19 FINDINGS OF FACT: 20 1. Staff recommends approval because the 21 proposal is in compliance with the community's adopted 22 Comprehensive Plan; 23 2. The subject property is located in a Rural Maintenance Plan Area, where rural large-lot 24 25 residential uses are appropriate in limited locations;

1 3. The subject property is a 9-acre tract and 2 the applicant proposes a residential use on the 3 property; and, 4. The subject property has road frontage on 4 5 Red Hill Maxwell Road and Browns Valley Red Hill Road. 6 MS. EVANS: We would like to enter the Staff 7 Report into the record as Exhibit A. 8 CHAIRMAN: Thank you. Anyone in the audience representing the 9 applicant? 10 11 (NO RESPONSE) 12 CHAIRMAN: Any commissioners have any 13 questions or concerns about the application? 14 (NO RESPONSE) CHAIRMAN: Hearing none the chair is ready for 15 a motion. 16 17 Mr. Boswell. 18 MR. BOSWELL: Thank you, Mr. Chairman. I make 19 a motion to approve based on the Planning Staff 20 Recommendations and Findings of Fact 1 through 4. CHAIRMAN: We have a motion for approval. Do 21 22 we have a second? 23 MS. HARDAWAY: Second. 24 CHAIRMAN: Second by Commissioner Hardaway. 25 Any questions the motion or the second?

1 (NO RESPONSE) 2 CHAIRMAN: All those in favor please indicate 3 by raising your right hand. (ALL BOARD MEMBERS PRESENT RESPONDED AYE.) 4 CHAIRMAN: Motion carries. 5 б ITEM 4 7 1500 West Parrish Avenue, 0.560 acres Consider zoning change: From R-1A Single-Family Residential to P-1 Professional/Service 8 Applicant: Owensboro Catholic High School, Inc.; 9 Michael R. & Martha P. Kenney 10 MS. KNIGHT: Please state your name for the 11 record. 12 MR. PEDLEY: Trey Pedley. 13 (TREY PEDLEY SWORN BY ATTORNEY.) PLANNING STAFF RECOMMENDATION 14 The Planning Staff recommends approval subject 15 16 to the condition and findings of fact that follow: 17 CONDITIONS 18 No access to West Parrish Avenue shall be 19 permitted. Access shall be limited to Dean Avenue 20 only. 21 FINDINGS OF FACT 22 1. Staff recommends approval because the 23 proposal is in compliance with the community's adopted Comprehensive Plan; 24 25 2. The subject property is located in an

1 Urban Residential Plan Area, where

2 professional/service uses are appropriate in limited 3 locations; 3. The proposed use, a school, is 4 non-residential in nature; 5 6 4. The proposed P-1 Professional/Service zone 7 is a logical expansion of the P-1 zone on the 8 adjoining property to the west; and 9 5. At 0.560 acres in size, the proposal should not overburden the capacity of roadways and 10 11 other necessary urban services that are available in 12 the affected area. 13 MR. PEDLEY: We would like to enter the Staff Report into the record as Exhibit B. 14 15 CHAIRMAN: Thank you. 16 Anyone in the audience representing the 17 application? 18 MR. KAMUF: Yes. Charles Kamuf representing 19 the applicants. 20 MS. KNIGHT: Mr. Kamuf, you're sworn as an 21 attorney. Thank you. 22 MR. KAMUF: We're here to answer any 23 questions. 24 I have the principal of Owensboro Catholic and 25 the Director of Owensboro Catholic Schools here.

We're here to answer any questions that you have. 1 2 CHAIRMAN: Anyone have any questions 3 concerning this application? 4 Come and be sworn in. MS. KNIGHT: Please state your name for the 5 6 record. 7 MR. ROUSE: Mark Rouse. (MARK ROUSE SWORN BY ATTORNEY.) 8 MR. ROUSE: We live on Dean Avenue. We're 9 just curious what the school system has planned? Are 10 11 they going to leave the building or are they going to 12 tear it down? 13 CHAIRMAN: Mr. Kamuf, you want to answer that. 14 MR. KAMUF: Sort of. We own the property next 15 to the subject property, the Catholic School System. 16 The owners of the property at 1500 West Parrish 17 contacted us to see if we would be interested in 18 buying the property. We have a donor that's willing 19 to pay the price for the property. We have a purchase 20 contract that depends on us getting the property 21 rezoned. At the present time we have no plans for the 22 property. The donor came forward and said that they 23 would buy the property. That's the main reason we're here tonight. We figure it would be an opportunity 24 25 for us to add on.

1 One of the other neighbors called, a 2 Mr. Johnson. I advised him that when we got further 3 along that he would be able to have a voice. The 4 development plan, we do not have to file a development plan now because it's not necessary. All we're doing 5 6 is taking this property and consolidating it with the 7 rest of them. Now, I'm here to -- maybe I didn't answer your 8 question. That's the best I can do as far as 9 10 answering that. 11 I tried to give Mr. Johnson a heads up and 12 tell him that we would be a good neighbor. He lives 13 directly across the road on the corner of Dean Avenue 14 and West Parrish. 15 CHAIRMAN: Does that answer your question? 16 MR. KAMUF: That's the best I can. I mean we 17 were contacted by the owners of the property to see if 18 we wanted the property. That's when this ball started 19 rolling. 20 CHAIRMAN: Understood. 21 Anyone else? 22 MS. KNIGHT: Please state your name for the 23 record. MS. ROUSE: Susan Rouse. 24 25 (SUSAN ROUSE SWORN BY ATTORNEY.)

MS. ROUSE: I just have a questions about or 1 2 concerns about the extra traffic that that property 3 could pull onto Dean Avenue. We live right across from the parking lot exit onto Dean. As you all 4 probably know, at 3:15 it's -- if you put another exit 5 6 on Dean instead of on Parrish, then all of a sudden 7 you've got two outlets on the same small residential 8 street. That's a very busy corner there. Dean and Parrish is very busy. I just want you all to keep 9 10 that in consideration, the extra traffic. Right now 11 that house, I think, goes out on Parrish. It doesn't 12 have a cut onto Dean. If you change it around, now you've got two; Owensboro Catholic cuts onto Dean. 13 14 That's just my concern. Thank you. 15 CHAIRMAN: Mr. Kamuf, can you address that? 16 MR. KAMUF: One of the conditions of the 17 rezoning is whatever traffic we have would come out, 18 the access point would come out on Dean Avenue. Not 19 saying that we will, but we can't come on Parrish. 20 Of course, all of those issues on the 21 screening and traffic, they will be taken up with the 22 development plan whenever it comes up. 23 MR. HOWARD: If I could, it doesn't mean access spacing for access to Parrish. If that lot 24 25 were to have its own individual access, it would have

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to be on Dean. Looking at the aerial, you know, it 1 2 looks like there would be potential for -- you say 3 there was parking on this property, that it could tie in with the existing parking lot and actually all just 4 funnel through there and not have access on Parrish or 5 б Dean. That might be an option. 7 MR. KAMUF: Sure. We'll take that up with 8 engineers when we get ready to do this. Like I said, in other words, Mr. Johnson, we'll give him a voice 9 10 when it gets down to it. 11 CHAIRMAN: Thank you, sir. 12 MR. KAMUF: As of this time I can't make any 13 commitments on anything because we haven't met with 14 the engineers. 15 CHAIRMAN: Thank you. Anyone else? 16 (NO RESPONSE) 17 CHAIRMAN: Any commissioners have any 18 questions? 19 (NO RESPONSE) 20 CHAIRMAN: Seeing none the chair is ready for 21 a motion. 22 Commissioner Rogers. 23 MR. ROGERS: Mr. Chairman, I make a motion for approval based on Planning Staff Recommendation with 24 25 the one condition and the Findings of Facts 1 through

1 5. 2 CHAIRMAN: We have a motion by Mr. Rogers. Do 3 we have a second? 4 MR. BALL: Second. CHAIRMAN: Second by Commissioner Ball. Any 5 б questions concerning the motion or the second? 7 (NO RESPONSE) 8 CHAIRMAN: Seeing none the chair is ready for a vote. All those in favor please indicate by raising 9 your right hand. 10 11 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.) 12 CHAIRMAN: Motion carries. 13 Thank you. 14 MR. KAMUF: Thank you. 15 TTEM 5 16 2860 & 2878 Settles Road, 6.517 acres Consider zoning change: From R-1A Single-Family 17 Residential and A-U Urban Agriculture to A-U Urban Agriculture 18 Applicant: Martin and Sarah Walker, Anne Walker 19 20 PLANNING STAFF RECOMMENDATIONS The Planning Staff recommends approval subject 21 22 to the condition and findings of fact that follow: 23 CONDITION Approval of a minor subdivision plat giving 24 25 2878 Settles Road road frontage on Settles Road.

1 FINDINGS OF FACT:

2 1. Staff recommends approval because the 3 proposal is in compliance with the community's adopted Comprehensive Plan; 4 2. The subject properties are located in an 5 Urban Residential Plan Area, where rural small lot б 7 residential uses are appropriate in general locations; 3. Each property is a well-proportioned lot 8 and the proposed division will give each property 9 10 frontage on a public road, Settles Road; and, 4. Each property is of adequate size to 11 12 assure satisfactory operation of conventional septic 13 tank systems as regulated by state law. MS. EVANS: We would like to enter the Staff 14 Report into the record as Exhibit C. 15 16 CHAIRMAN: Thank you. 17 Anyone in the audience representing the 18 applicant? 19 APPLICANT REP: Yes. 20 CHAIRMAN: Make any comments? APPLICANT REP: Not at this time. 21 22 CHAIRMAN: Thank you, sir. 23 Any commissioners have any questions concerning the application? 24 25 (NO RESPONSE)

1 CHAIRMAN: Seeing none the chair is ready for 2 a motion. 3 Commissioner Reeves. 4 MR. REEVES: Make a motion to approve this application with Condition 1 and Findings of Fact 1 5 б through 4. 7 CHAIRMAN: We have a motion. Do we have a 8 second? 9 MR. VELOTTA: Second. CHAIRMAN: Second by Commissioner Velotta. 10 11 Any questions concerning the motion or the second? 12 (NO RESPONSE) 13 CHAIRMAN: Seeing none the chair is ready for 14 a vote. All those in favor please indicate by raising 15 your right hand. 16 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.) 17 CHAIRMAN: Motion carries. 18 MAJOR SUBDIVISION PRELIMINARY PLATS 19 ITEM 6 20 Southpark, 10.000 acres Consider approval of an amended major subdivision 21 preliminary plat Applicant: Old Hartford Properties 22 23 MR. HOWARD: This plat comes before you as a major subdivision preliminary plat. The reason that 24 25 they amended the size is that the detention basin on

1 the original preliminary does require review and 2 re-approval by the full Planning Commission. It's 3 been reviewed by the utility, Engineering Staff and Planning Staff. It's found to be in order and ready 4 5 for your consideration for approval. 6 CHAIRMAN: Thank you. 7 Anyone in the audience representing the 8 application? 9 MR. JONES: Dr. David Jones. I'm one of the parties of Old Hartford Properties. 10 (DR. DAVID JONES SWORN BY ATTORNEY.) 11 12 DR. JONES: I just came here to see if anybody 13 had any questions or if there's anything we could 14 answer, as far as the change. CHAIRMAN: Does anybody in the audience have 15 16 any questions concerning this? 17 (NO RESPONSE) 18 CHAIRMAN: Any commissioners? 19 (NO RESPONSE) 20 CHAIRMAN: Seeing none, no one has any 21 questions for you, sir. 22 Since there's no questions, I'm ready for a 23 motion. Commissioner Velotta. 24 25 MR. VELOTTA: Motion to approve.

1 CHAIRMAN: We have a motion to approve. Do we 2 have a second? 3 MR. REEVES: Second. CHAIRMAN: Second by Commissioner Reeves. All 4 5 those in favor please indicate by raising your right б hand. 7 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.) 8 CHAIRMAN: Motion carries. ITEM 7 9 10 Stone Crest, 30.869 acres Consider approval of an amended major subdivision 11 preliminary plat Applicant: JR Acquisitions, LLC, c/o Mike Martin 12 13 MR. HOWARD: This plat comes before you as an 14 amendment to the original preliminary plat. Initially Jessica Lane extended further north and stubbed to the 15 16 property line, but based on other development, other 17 construction has taken place in the vicinity, it's 18 deemed that route may not be feasible any longer. So 19 it's changed to better utilize the land. The 20 Engineers Staff and the Planning Staff, utilities have 21 all reviewed it and it's ready for your consideration 22 for approval. 23 CHAIRMAN: Thank you. 24 Anyone in the audience representing the 25 applicant?

1 APPLICANT REP: Yes. 2 CHAIRMAN: Would you like to make any 3 comments? Ready for questions? (NO RESPONSE) 4 CHAIRMAN: Any questions in the audience? 5 (NO RESPONSE) 6 7 CHAIRMAN: Any questions by the commissioners? 8 (NO RESPONSE) CHAIRMAN: Seeing none the chair is ready for 9 a motion. 10 Mr. Boswell. 11 MR. BOSWELL: Thank you, Mr. Chairman. Motion 12 13 to approve. 14 CHAIRMAN: We have a motion for approval. Do 15 we have a second? 16 MS. McENROE: Second. 17 CHAIRMAN: Second by Commissioner McEnroe. 18 All those in favor of the motion and the second please 19 indicate by raising your right hand. 20 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.) 21 CHAIRMAN: Motion carries. 22 \_\_\_\_\_ 23 NEW BUSINESS ITEM 8 24 25 Consider approval of October 2019 financial statement

1 CHAIRMAN: All the commissioners should have 2 received a copy of the financial report and statement. 3 Anyone have any questions or concerns about the 4 financial report? 5 (NO RESPONSE) 6 CHAIRMAN: Seen none the chair is ready for a 7 motion. Commissioner Hardaway. 8 MS. HARDAWAY: Motion to approve. 9 10 CHAIRMAN: We have a motion to approve. Do we 11 have a second? MR. REEVES: Second. 12 13 CHAIRMAN: Second by Commissioner Reeves. All 14 those in favor indicate by raising your right hand. (ALL BOARD MEMBERS PRESENT RESPONDED AYE.) 15 CHAIRMAN: Motion carries. 16 17 ITEM 9 18 Consider approval of the amended Public Improvement Specifications surety unit costs 19 20 MR. HOWARD: As you all will recall, you see 21 this every year. We get together with a group that's 22 called Public Improvement Specification Committee and 23 they go over these costs annually. 24 What these are when a developer is preparing a 25 new subdivision, at the time of final platting any

construction work relating to sewers, the streets, 1 2 water lines, fire hydrants, any of those type of 3 things, any improvements that are not done, they have opportunities to post surety for those. 4 We get together annually with this group that 5 б consist of the city and county engineer, engineers 7 from private firms here locally, water and fire, sewer 8 utilities, home builders representatives, excavation contractors. We've got a group of people that get 9 10 together and look over these numbers annually. 11 This year we had a handful of changes, maybe 12 half the things were bumped up a little bit to reflect 13 current costs that were seen out in the field and 14 actual construction jobs. So this will go into effect 15 January 1. 16 If you have any questions about it, I will be 17 glad to answer those. If not, it's ready for 18 approval. 19 CHAIRMAN: Thank you. 20 Any commissioners have any questions about the 21 improvement specification? 22 (NO RESPONSE) 23 CHAIRMAN: Seeing none the chair is ready for a motion. 24 25 Commissioner Ball.

MR. BALL: Motion to approve. 1 2 CHAIRMAN: We have a motion to approve. Do we 3 have a second? 4 MR. VELOTTA: Second. CHAIRMAN: Second by Commissioner Velotta. 5 б All those in favor of the motion please indicate by 7 raising your right hand. 8 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.) CHAIRMAN: Motion carries. 9 10 ITEM 10 Consider approval of the amended Planning Filing Fees 11 12 MR. HOWARD: So we don't amend the Planning 13 Filing Fees regularly. We try to look at those every 14 five years. That's not why we have these amendments 15 tonight. 16 It's state-wide the legislation passed that 17 the recording fees at the county clerk offices across 18 the state in all 120 counties are being increased; in 19 some cases significantly. 20 So with that what will impact our office; 21 right now in order to record a plat it's a \$20 fee and 22 that's being increased to \$50. Then with any type of 23 conditional use permit, variance, preliminary plat, final development plan, any of those types of things, 24 25 we're required by state law to file basically a

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.

8 This isn't a revenue generator for us. We're 9 not increasing fees to increase revenue. We're basically just doing this so that we'll be able to 10 11 remain on even footing with where we have been. We 12 don't necessarily, you know, we're not excited about 13 having to do this. We're going from a minor 14 subdivision plat on a residential lot where the 15 recording fee was a sixth of the cost of the total 16 filing fee to where now it's a third of the cost of 17 total filing fee. So it is a pretty significant 18 increase, but we're passing along the increase cost as 19 we have to do in order to make the budget work. 20 If you have any questions, I'll be glad to 21 answer those. If not, they're ready for approval. 22 These would go into effect January 1 as well. That's 23 when the clerk's office will start charging the fees. 24 CHAIRMAN: Any commissioners have any 25 questions?

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1 (NO RESPONSE) 2 CHAIRMAN: Seeing none the chair is ready for 3 a motion. Mr. Boswell. 4 MR. BOSWELL: Thank you, Mr. Chairman. Motion 5 б to approve. 7 CHAIRMAN: We have a motion to approve. Do we 8 have a second? 9 MS. McENROE: Second. 10 CHAIRMAN: Second by Commissioner McEnroe. All those in favor of the motion please indicate by 11 12 raising your right hand. 13 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.) CHAIRMAN: Motion carries. 14 ITEM 11 15 16 Comments by the Chairman 17 CHAIRMAN: I'd just like to take this 18 opportunity to wish all of the staff, all the 19 commissioners, everyone a very Merry Christmas and 20 Happy New Year. That's all I have. 21 ITEM 12 22 Comments by the Planning Commissioners. 23 CHAIRMAN: Anybody? 24 Commissioner Reeves. 25 MR. REEVES: I feel like we need to say this.

I know Commissioner McEnroe has chosen not to be 1 2 reappointed, even though mayor was willing to appoint 3 her. She is one best commissioners I've ever worked with. I would like to applaud her service and thank 4 her for everything she's done. 5 6 I appreciate you very much. 7 MR. BALL: I would like to say whoever they 8 get is going to have to sit beside me and keep me in 9 line. CHAIRMAN: That's a tough job. 10 11 Commissioners Boswell, do you have something? 12 MR. BOSWELL: I would like to commend our 13 Chairman for an excellent job on his first year as our 14 chairman. It's not always an easy task, but I think 15 he's handled it well and I congratulate you. You've 16 done a great job. 17 CHAIRMAN: Thank you. It's easy to do when 18 you're working with good people. 19 ITEM 13 20 Comments by the Director. 21 MR. HOWARD: Fred, I appreciate you mentioning 22 Beverly going off the board. We do have a plaque that 23 we have for you in order to jut say thank you for your time. You've been a great member to the Planning 24 25 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 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.

15 CHAIRMAN: Manual last one.

16 MR. ALL: Motion to adjourn.

17 CHAIRMAN: Do we have a second?

18 MR. VELOTTA: Second.

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1 STATE OF KENTUCKY ) ) SS: REPORTER'S CERTIFICATE 2 COUNTY OF DAVIESS ) I, LYNNETTE KOLLER FUCHS, Notary Public in and 3 4 for the State of Kentucky at Large, do hereby certify that the foregoing Owensboro Metropolitan Planning 5 б 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 were duly sworn before testifying; that the Board 9 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 foregoing 23 14 typewritten pages; and that no signature was requested 15 to the foregoing transcript. 16 WITNESS my hand and notary seal on this the 17 3rd day of January, 2020. 18 19 LYNNETTE KOLLER FUCHS 20 NOTARY ID 613522 OHIO VALLEY REPORTING SERVICES 21 2200 E. PARRISH AVE, SUITE 106E OWENSBORO, KY 42303 22 23 COMMISSION EXPIRES: DECEMBER 16, 2022 COUNTY OF RESIDENCE: 24 DAVIESS COUNTY, KY 25