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OWENSBORO METROPOLITAN PLANNING COMMISSION

FEBRUARY 13, 2003

* * * * *

The Owensboro Metropolitan Planning Commission met in regular session at 6:00 p.m. on Thursday, February 13, 2003, at City Hall, Commission Chambers, Owensboro, Kentucky, and the proceedings were as follows:

- MEMBERS PRESENT: Drew Kirkland, Chairman
- Gary Noffsinger
- Nick Cambron
- Dave Appleby
- Irvin Rogers
- Sister Vivian Bowles
- Dr. Mark Bothwell
- Stewart Elliott,
- Attorney

* * * * *

(INVOCATION AND PLEDGE OF ALLEGIANCE)

CHAIRMAN: I would like to welcome everybody to our February 13, 2003, meeting of the Owensboro Metropolitan Planning Commission.

The first item of business is to consider the minutes of the January 9, 2003, meeting. Are there any corrections or additions to the minutes?

(NO RESPONSE)

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

MR. APPLEBY: Motion for approval.

1 CHAIRMAN: Motion for approval by Mr.
2 Appleby.

3 MR. CAMBRON: Second.

4 CHAIRMAN: Second by Mr. Cambron.

5 Before we get into the agenda, I have
6 something as far as a personnel review that I want to
7 share with the general public.

8 We sent out our second questionnaire which
9 was exactly like the first questionnaire that we sent
10 out last year on the job performance of Mr.
11 Noffsinger. Last year we got ten responses back. Of
12 those ten responses, the rating out of a 50 score was
13 43.20. This year we got 19 responses back from our
14 different agencies and the different boards, fiscal
15 court, and the city commission. This year we received
16 19 responses. The overall score was 45.50 out of
17 50. We were very pleased with the response. I have
18 shared with Mr. Noffsinger some of the items that
19 we're going to work on and some of the things,
20 suggestions and some of the writings that we got from
21 our city and county officials on what they would like
22 us to work on. I want to share that with all the
23 commission and the general public. As chairman I was
24 very pleased with the response that we got.

25 With that if there are any questions by

1 any other commission members about our survey job
2 performance.

3 (NO RESPONSE)

4 CHAIRMAN: If not then not I say that we
5 get into the rest of our meeting.

6 Mr. Noffsinger, first item, please.

7 Congratulations on a very good job performance.

8 MR. NOFFSINGER: Thank you, Mr. Chairman.

9 -----

10 PUBLIC FACILITIES PLANS
11 REVIEW FOR CONSISTENCY WITH COMPREHENSIVE PLAN

12 ITEM 2

13 1009 (1017) Allen Street
14 Land Acquisition
15 Consider comments regarding the purchase of 1.24 acres
16 on Allen Street for the purpose of storage of vehicles
17 and equipment confiscated by the Owensboro Police
18 Department and for additional parking space for
19 employees and visitors of the Owensboro Police
20 Department
21 Referred by: City of Owensboro

22 MR. NOFFSINGER: Mr. Chairman, the
23 Planning Staff has reviewed this application. We find
24 no conflict with the Comprehensive Plan and recommend
25 a letter to that affect be forwarded to the Owensboro
City Commission.

CHAIRMAN: Are there any questions?

24 MR. CAMBRON: I have a question, Mr.
25 Chairman.

1 Mr. Noffsinger, do they have to screen and
2 fence their facility?

3 MR. NOFFSINGER: It's my understanding
4 they will do so if they have outdoor storage, but I
5 understand the storage will take place within the
6 existing building which the most recent use of that
7 property has been a church. When we review the site
8 plan, if we see any outdoor storage that's one thing
9 we would recommend, that they screen it, but the
10 direct answer to that question is because City of
11 Owensboro exempt from zoning regulations, they do not
12 have to follow their own policy, their own
13 regulations, but we'll certainly work with city staff.
14 I believe they would want to comply with the zoning
15 regulations.

16 MR. CAMBRON: Thank you.

17 CHAIRMAN: Are there any more questions?

18 (NO RESPONSE)

19 CHAIRMAN: If there are no more questions,
20 chair is ready for a motion.

21 DR. BOTHWELL: Motion to approve.

22 CHAIRMAN: Motion for approval by Dr.
23 Bothwell.

24 MR. ROGERS: Second.

25 CHAIRMAN: Second by Mr. Rogers. All in

1 favor raise your right hand.

2 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

3 CHAIRMAN: Motion carries unanimously.

4 Next item, please.

5 ITEM 3

6 1414 Hill Bridge Road

Land Acquisition

7 Consider comments regarding the sale or lease of all
8 or a portion of property located at 1414 Hill Bridge
9 Road to the Humane Society to locate a trailer and
10 construct kennels, fenced areas for animals and a
11 facility for cats.

Referred by: City of Owensboro

10

11 MR. NOFFSINGER: Item 3 has been

12 withdrawn.

13 ITEM 4

14 5005 KY 54

Land Disposition and Acquisition

15 Consider comments regarding the sale of one acre of
16 property on KY 54 to the Daviess County Fiscal Court
17 by Daviess County Public Schools for construction of a
18 Daviess County fire station.

Referred by: Daviess County Public Schools, Daviess
County Fiscal Court.

18

19 MR. NOFFSINGER: Mr. Chairman, Planning

20 Staff has reviewed this application. We find no

21 conflict with the Comprehensive Plan; however, the

22 Comprehensive Plan does recommend the city and county

23 come together and fund a joint study to address fire

24 protection needs within the community. We would

25 recommend that a letter be forwarded to the Daviess

1 County Fiscal Court that includes a reminder that that
2 recommendation is in the Comprehensive Plan.

3 CHAIRMAN: Are there any questions from
4 anybody on the commission?

5 (NO RESPONSE)

6 CHAIRMAN: Any questions from anybody in
7 the audience?

8 (NO RESPONSE)

9 CHAIRMAN: If there are no questions, the
10 chair is ready for a motion.

11 MR. CAMBRON: Motion for approval, Mr.
12 Chairman.

13 CHAIRMAN: Motion for approval by Mr.
14 Cambron.

15 DR. BOTHWELL: Second.

16 CHAIRMAN: Second by Dr. Bothwell. All in
17 favor raise your right hand.

18 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

19 CHAIRMAN: Motion carries unanimously.

20 Next item, please.

21 ITEM 5

22 4600, 4900 Blocks of Wayne Bridge Road
23 Road Alignment
24 Consider comments regarding the realignment and
25 widening of Wayne Bridge Road.
26 Referred by: Daviess County Fiscal Court

MR. NOFFSINGER: Mr. Chairman, Planning

1 Staff has reviewed this application. We find no
2 conflict with the Comprehensive Plan. We do find that
3 it would be an enhancement toward the safety along
4 Wayne Bridge Road and would recommend that a letter of
5 that affect be forwarded to the Daviess County Fiscal
6 Court.

7 CHAIRMAN: Any questions from anybody on
8 the commission?

9 (NO RESPONSE)

10 CHAIRMAN: Any questions from anybody in
11 the audience?

12 (NO RESPONSE)

13 CHAIRMAN: If not the chair is ready for a
14 motion.

15 SISTER VIVIAN: Motion for approval.

16 CHAIRMAN: Motion for approval by Sister
17 Vivian.

18 MR. APPLEBY: Second.

19 CHAIRMAN: Second by Mr. Appleby. All in
20 favor raise your right hand.

21 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

22 CHAIRMAN: Motion carries unanimously.

23 Next item, please.

24 ITEM 6

25 549 Worthington Road

1 Land Disposition
2 Consider comments regarding the disposition of excess
3 property remaining after the construction of the
4 Gilles Ditch detention basin.

5 Referred by: Daviess County Fiscal Court

6 MR. NOFFSINGER: Mr. Chairman, Planning
7 Staff has reviewed this application. We find no
8 conflict with the Comprehensive Plan and recommend a
9 letter to that affect be forwarded to the Daviess
10 County Fiscal Court.

11 CHAIRMAN: Any questions from anybody on
12 the commission?

13 (NO RESPONSE)

14 CHAIRMAN: Anybody in the audience?

15 (NO RESPONSE)

16 CHAIRMAN: If not the chair is ready for a
17 motion.

18 MR. CAMBRON: Motion for approval, Mr.
19 Chairman.

20 CHAIRMAN: Motion for approval by Mr.
21 Cambron.

22 MR. ROGERS: Second.

23 CHAIRMAN: Second by Mr. Rogers. All in
24 favor raise your right hand.

25 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.

Next item, please.

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ZONING CHANGES - COUNTY

ITEM 7

4300 Veach Road, 11.170 acres (WITHDRAWN)
Consider zoning change: From A-R Rural Agriculture to
B-4 General Business
Applicant: H.J. Marks Company
MR. NOFFSINGER: Under Zoning Changes in
the County, Item 7 has been withdrawn.

ITEM 8

Portion 3009 (3201) US 60 E, 3.3+ acres
Consider zoning change: From B-4 General Business to
R-3MF Multi-Family Residential
Applicant: Pat Powell Clark, C.A. Pantle, Jr.

MR. ELLIOTT: State your name, please.

MS. STONE: Becky Stone.

(MS. BECKY STONE SWORN BY ATTORNEY.)

PLANNING STAFF RECOMMENDATIONS

Staff recommends approval because the request is
in compliance with the adopted Comprehensive Plan.
This recommendation is made subject to the conditions
and findings of fact that follow:

Conditions:

- 1. Submission and approval of a preliminary
subdivision plat that extends Vegetable Lane to the
subject property prior to development.

Findings of Fact:

- 1. The subject property is located in a Business

1 Plan Area, where urban mid-density residential uses
2 are appropriate in limited locations;

3 2. The subject property is
4 "major-street-oriented" by having a direct street
5 intersection access to US 60 E, upon extension of the
6 existing street serving the front portion of the
7 Pantle property;

8 3. The applicant's proposal will add to the
9 variety of housing types available in the general
10 vicinity suitable to a wide range of people;

11 4. The subject property is within the Urban
12 Service Area, where urban development is encouraged;
13 and,

14 5. The subject property can be readily served by
15 sanitary sewers.

16 We would like to enter the Staff Report as
17 Exhibit A.

18 CHAIRMAN: Is anybody here representing
19 the applicant?

20 MR. PANTLE: Yes.

21 CHAIRMAN: Does anybody in the audience
22 have any questions of the applicant?

23 (NO RESPONSE)

24 CHAIRMAN: Does anybody on the commission
25 have any questions of the applicant?

1 (NO RESPONSE)

2 CHAIRMAN: If not the chair is ready for a
3 motion.

4 MR. APPLEBY: Motion for approval based on
5 the Staff's recommendations with Condition 1 and
6 Findings of Fact 1 through 5.

7 MR. CAMBRON: Second.

8 CHAIRMAN: Motion for approval by Mr.
9 Appleby. Second by Mr. Cambron. All in favor raise
10 your right hand.

11 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

12 CHAIRMAN: Motion carries unanimously.

13 Next item, please.

14 -----

15 DEVELOPMENT PLAN

16 ITEM 9

17 1910 Old Henderson Road, 0.312 acres
18 Consider approval of final development plan.
19 Applicant: Scott A. Baird

20 MR. NOFFSINGER: Mr. Chairman, this
21 application has been reviewed by the Planning Staff
22 and Engineering Staff. Found to be in order and is
23 ready for consideration.

24 CHAIRMAN: Any questions by the
25 commission?

(NO RESPONSE)

1 CHAIRMAN: Any question from anybody in
2 the audience?

3 (NO RESPONSE)

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

6 DR. BOTHWELL: Motion for approval.

7 CHAIRMAN: Motion for approval by Dr.
8 Bothwell.

9 SISTER VIVIAN: Second.

10 CHAIRMAN: Second by Sister Vivian. All
11 in favor raise your right hand.

12 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

13 CHAIRMAN: Motion carries unanimously.

14 Next item, please.

15 -----

16 MAJOR SUBDIVISIONS

17 ITEM 10

18 Lake Forest, Unit #16, Lots 181, 187-199, 201,
19 233-235, 8.832+ acres
20 Consider approval of major subdivision final plat.
21 Surety (Certified Check and Certificate of Deposit)
22 \$28,935.80
23 Applicant: Lake Forest Community, LLC

24 MR. NOFFSINGER: Mr. Chairman, the
25 Planning Staff and Engineering Staff has reviewed this
26 plat. Found it to be in order and ready for
27 consideration.

1 CHAIRMAN: Any questions from anybody on
2 the commission?

3 (NO RESPONSE)

4 CHAIRMAN: Anybody in the audience?

5 (NO RESPONSE)

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

8 MR. APPLEBY: Motion for approval.

9 CHAIRMAN: Motion for approval by Mr.
10 Appleby.

11 MR. ROGERS: Second.

12 CHAIRMAN: Second by Mr. Rogers. All in
13 favor raise your right hand.

14 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

15 CHAIRMAN: Motion carries unanimously.

16 Next item, please.

17 ITEM 11

18 Lake Forest, Unit #17, Lot 100, Detention Basin "C",
19 1.854+ acres

20 Consider approval of major subdivision final plat.
21 Surety (Certified Check and Certificate of Deposit)
22 \$11,742.80

23 Applicant: Lake Forest Community, LLC

24 MR. NOFFSINGER: Mr. Chairman, this plat
25 has been reviewed by the Planning Staff and
26 Engineering Staff. It's found to be in order and
27 ready for consideration.

1 CHAIRMAN: Are there any questions from
2 anybody on the commission?

3 (NO RESPONSE)

4 CHAIRMAN: Anybody in the audience have
5 any questions?

6 (NO RESPONSE)

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

9 MR. CAMBRON: Motion for approval, Mr.
10 Chairman.

11 CHAIRMAN: Motion for approval by Mr.
12 Cambron.

13 SISTER VIVIAN: Second.

14 CHAIRMAN: Second by Sister Vivian. All
15 in favor raise your right hand.

16 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

17 CHAIRMAN: Motion carries unanimously.

18 ITEM 12

19 3225, 3260, 3290, 3291, 3320 Warehouse Road,
20 8.429+ acres
21 Consider approval of major subdivision final plat.
22 Surety (Certified Check) \$1,073.80
23 Applicant: Commercial Warehousing, Inc.

24 MR. NOFFSINGER: Mr. Chairman, this plat
25 was postponed from our last meeting due to an
26 annexation issue that had not been resolved. This
27 issue has been resolved. the properties have been

1 annexed into the City of Owensboro. The plat is found
2 to be in order and ready for consideration.

3 CHAIRMAN: Any questions from the
4 commission?

5 (NO RESPONSE)

6 CHAIRMAN: Anybody from the audience?

7 (NO RESPONSE)

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

10 SISTER VIVIAN: Motion for approval.

11 CHAIRMAN: Motion for approval by Sister
12 Vivian.

13 MR. APPLEBY: Second.

14 CHAIRMAN: Second by Mr. Appleby. All in
15 favor raise your right hand.

16 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

17 CHAIRMAN: Motion carries unanimously.

18 Next item, please.

19 -----

20 SURETY RELEASES

21 ITEM 13

22 Earthgrain Bakery Building Addition, \$2,902.00
23 Consider release of surety (Performance Bond) for
24 landscaping.
25 Surety posted by: Earthgrain Bakery.

1 ITEM 14

2 H&I Development, Lot #10, \$3,277.50
3 Consider release of surety (Performance Bond) for
4 landscaping.
5 Surety posted by: Hayden Construction Co., Inc.

6 ITEM 15

7 Meadow Run At Whispering Meadows, \$10,404.80
8 Consider partial release of surety (Certificate of
9 Deposit) for streets and sidewalks.
10 Surety retained (Certificate of Deposit) \$17,070.40
11 Surety posted by: O'Bryan Development, Inc.,
12 c/o Michael O'Bryan

13 ITEM 16

14 Whispering Meadows, Unit #2, \$13,112.40
15 Consider partial release of surety (Certificate of
16 Deposit) for streets and sidewalks.
17 Surety retained (Certificate of Deposit) \$23,074.20
18 Surety posted by: O'Bryan Development, Inc.,
19 c/o Michael O'Bryan

20 MR. NOFFSINGER: Mr. Chairman, the Surety
21 Releases Items 13 through 16 are in order and may be
22 released in toto.

23 CHAIRMAN: Since there would be no
24 questions, ready for motion.

25 MR. APPLEBY: Motion for approval.

26 CHAIRMAN: Motion for approval by Mr.
27 Appleby.

28 MR. CAMBRON: Second.

29 CHAIRMAN: Second by Mr. Cambron. All in
30 favor raise your right hand.

31 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

1 CHAIRMAN: Motion carries unanimously.

2 SURETY TRANSFERS

3 ITEM 17

4 Cinderella Drive, 3,300.00
5 Transfer of surety (Performance Bond) for fire
6 hydrants to the Daviess County Fiscal Court.
7 Surety posted by: James Glenn Causey

8 ITEM 18

9 Doe Ridge, Section 4, \$2,624.00
10 Transfer of surety (Performance Bond) for water mains
11 and fire hydrants to the Daviess County Fiscal Court.
12 Surety posted by: Robert J. Wimsatt

13 ITEM 19

14 Harbor Trace, Section 1, Unit #1, \$6,129.00
15 Transfer of surety (Performance Bond) for water mains
16 and fire hydrants to the Daviess County Fiscal Court.
17 Surety posted by: Robert J. Wimsatt

18 ITEM 20

19 Heritage Park, Unit #3, \$1,525.00
20 Transfer of surety (Certificate of Deposit) for water
21 mains to the City of Owensboro.
22 Surety posted by: Jagoe Homes & Construction
23 Company, Inc.

24 ITEM 21

25 Lanewood Hills, Section 1, \$10,704.00
26 Transfer of surety (Certificate of Deposit) for water
27 mains and fire hydrants to the Daviess County Fiscal
28 Court.
29 Surety posted by: David Clark

30 ITEM 22

31 Sterling Dutton Estate Property Division, \$2,500.00
32 Transfer of surety (Certified Check) for fire
33 hydrants to the Daviess County Fiscal Court.
34 Surety posted by: Linda Lynch Co-Executor, Sterling
35 Dutton Estate

1 MR. NOFFSINGER: Mr. Chairman, Surety
2 Transfers Items 17 through 22 are in order and may be
3 transferred in toto.

4 CHAIRMAN: Would there be any questions?

5 (NO RESPONSE)

6 MR. CAMBRON: Motion for approval, Mr.
7 Chairman.

8 CHAIRMAN: Motion for approval by Mr.
9 Cambron.

10 MR. APPLEBY: Second.

11 CHAIRMAN: Second by Mr. Appleby. All in
12 favor raise your right hand.

13 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

14 CHAIRMAN: Motion carries unanimously.
15 Chair is ready for one final motion.

16 DR. BOTHWELL: Motion to adjourn.

17 CHAIRMAN: Motion for adjournment by Dr.
18 Bothwell.

19 MR. APPLEBY: Second.

20 CHAIRMAN: Second by Mr. Appleby. All in
21 favor raise your right hand.

22 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

23 CHAIRMAN: Meeting is adjourned.

24 -----

25

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

3 I, LYNNETTE KOLLER, Notary Public in and for
4 the State of Kentucky at Large, do hereby certify that
5 the foregoing Owensboro Metropolitan Planning & Zoning
6 meeting was held at the time and place as stated in
7 the caption to the foregoing proceedings; that each
8 person commenting on issues under discussion were duly
9 sworn before testifying; that the Board members
10 present were as stated in the caption; that said
11 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 18 typewritten pages; and that no signature
15 was requested to the foregoing transcript.

16 WITNESS my hand and notarial seal on this
17 the 17th day of February, 2003.

18

19

LYNNETTE KOLLER, NOTARY PUBLIC
OHIO VALLEY REPORTING SERVICE
202 WEST THIRD STREET, SUITE 2
21 OWENSBORO, KENTUCKY 42303

22 COMMISSION EXPIRES:
DECEMBER 19, 2006

23

24 COUNTY OF RESIDENCE:
DAVIESS COUNTY, KENTUCKY

25