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.
CHAIRMAN: Motion for approval by Mr. Appleby.

MR. CAMBRON: Second.

CHAIRMAN: Second by Mr. Cambron.

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

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

With that if there are any questions by Ohio Valley Reporting
(270) 683-7383
any other commission members about our survey job performance.

(NO RESPONSE)

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

Mr. Noffsinger, first item, please.

Congratulations on a very good job performance.

MR. NOFFSINGER: Thank you, Mr. Chairman.

-------------------------------

PUBLIC FACILITIES PLANS
REVIEW FOR CONSISTENCY WITH COMPREHENSIVE PLAN

ITEM 2

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

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

CHAIRMAN: Are there any questions?

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

Ohio Valley Reporting
(270) 683-7383
Mr. Noffsinger, do they have to screen and fence their facility?

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

MR. CAMBRON: Thank you.

CHAIRMAN: Are there any more questions?

(NO RESPONSE)

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

DR. BOTHWELL: Motion to approve.

CHAIRMAN: Motion for approval by Dr. Bothwell.

MR. ROGERS: Second.

CHAIRMAN: Second by Mr. Rogers. All in

Ohio Valley Reporting
(270) 683-7383
favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.

Next item, please.

ITEM 3

1414 Hill Bridge Road
Land Acquisition
Consider comments regarding the sale or lease of all or a portion of property located at 1414 Hill Bridge Road to the Humane Society to locate a trailer and construct kennels, fenced areas for animals and a facility for cats.
Referred by: City of Owensboro

MR. NOFFSINGER: Item 3 has been withdrawn.

ITEM 4

5005 KY 54
Land Disposition and Acquisition
Consider comments regarding the sale of one acre of property on KY 54 to the Daviess County Fiscal Court by Daviess County Public Schools for construction of a Daviess County fire station.
Referred by: Daviess County Public Schools, Daviess County Fiscal Court.

MR. NOFFSINGER: Mr. Chairman, Planning Staff has reviewed this application. We find no conflict with the Comprehensive Plan; however, the Comprehensive Plan does recommend the city and county come together and fund a joint study to address fire protection needs within the community. We would recommend that a letter be forwarded to the Daviess
County Fiscal Court that includes a reminder that that recommendation is in the Comprehensive Plan.

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

(NO RESPONSE)

CHAIRMAN: Any questions from anybody in the audience?

(NO RESPONSE)

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

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

CHAIRMAN: Motion for approval by Mr. Cambron.

DR. BOTHWELL: Second.

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.

Next item, please.

ITEM 5

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

MR. NOFFSINGER: Mr. Chairman, Planning Ohio Valley Reporting
(270) 683-7383
Staff has reviewed this application. We find no conflict with the Comprehensive Plan. We do find that it would be an enhancement toward the safety along Wayne Bridge Road and would recommend that a letter of that affect be forwarded to the Daviess County Fiscal Court.

CHAIRMAN: Any questions from anybody on the commission?

(NO RESPONSE)

CHAIRMAN: Any questions from anybody in the audience?

(NO RESPONSE)

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

SISTER VIVIAN: Motion for approval.

CHAIRMAN: Motion for approval by Sister Vivian.

MR. APPLEBY: Second.

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.

Next item, please.

ITEM 6

549 Worthington Road
Land Disposition
Consider comments regarding the disposition of excess property remaining after the construction of the Gilles Ditch detention basin.
Referred by: Daviess County Fiscal Court

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

CHAIRMAN: Any questions from anybody on the commission?

(NO RESPONSE)

CHAIRMAN: Anybody in the audience?

(NO RESPONSE)

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

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

CHAIRMAN: Motion for approval by Mr. Cambron.

MR. ROGERS: Second.

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.

Next item, please.
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
Plan Area, where urban mid-density residential uses are appropriate in limited locations;

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

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

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

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

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

CHAIRMAN: Is anybody here representing the applicant?

MR. PANTLE: Yes.

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

(NO RESPONSE)

CHAIRMAN: Does anybody on the commission have any questions of the applicant?
Chairman: If not the chair is ready for a motion.

Mr. Appleby: Motion for approval based on the Staff's recommendations with Condition 1 and Findings of Fact 1 through 5.

Mr. Cambron: Second.

Chairman: Motion for approval by Mr. Appleby. Second by Mr. Cambron. All in favor raise your right hand.

(All board members present responded Aye.)

Chairman: Motion carries unanimously.

Next item, please.

------------------------------------------

DEVELOPMENT PLAN

ITEM 9

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

Mr. Noffsinger: Mr. Chairman, this application has been reviewed by the Planning Staff and Engineering Staff. Found to be in order and is ready for consideration.

Chairman: Any questions by the commission?

(No response)
CHAIRMAN: Any question from anybody in the audience?

(NO RESPONSE)

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

DR. BOTHWELL: Motion for approval.

CHAIRMAN: Motion for approval by Dr. Bothwell.

SISTER VIVIAN: Second.

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.

Next item, please.

-----------------------------

MAJOR SUBDIVISIONS

ITEM 10

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

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

Ohio Valley Reporting (270) 683-7383
CHAIRMAN: Any questions from anybody on the commission?

(NO RESPONSE)

CHAIRMAN: Anybody in the audience?

(NO RESPONSE)

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

MR. APPLEBY: Motion for approval.

CHAIRMAN: Motion for approval by Mr. Appleby.

MR. ROGERS: Second.

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.

Next item, please.

ITEM 11

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

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

Applicant: Lake Forest Community, LLC

MR. NOFFSINGER: Mr. Chairman, this plat has been reviewed by the Planning Staff and Engineering Staff. It's found to be in order and ready for consideration.
CHAIRMAN: Are there any questions from anybody on the commission?

(NO RESPONSE)

CHAIRMAN: Anybody in the audience have any questions?

(NO RESPONSE)

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

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

CHAIRMAN: Motion for approval by Mr. Cambron.

SISTER VIVIAN: Second.

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.

ITEM 12

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

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

Ohio Valley Reporting
(270) 683-7383
annexed into the City of Owensboro. The plat is found to be in order and ready for consideration.

CHAIRMAN: Any questions from the commission?

(NO RESPONSE)

CHAIRMAN: Anybody from the audience?

(NO RESPONSE)

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

SISTER VIVIAN: Motion for approval.

CHAIRMAN: Motion for approval by Sister Vivian.

MR. APPLEBY: Second.

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.

Next item, please.

Surety Releases

ITEM 13

Earthgrain Bakery Building Addition, $2,902.00
Consider release of surety (Performance Bond) for landscaping.
Surety posted by: Earthgrain Bakery.
ITEM 14

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

ITEM 15

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

ITEM 16

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

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

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

MR. APPLEBY: Motion for approval.

CHAIRMAN: Motion for approval by Mr. Appleby.

MR. CAMBRON: Second.

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

Ohio Valley Reporting
(270) 683-7383
CHAIRMAN: Motion carries unanimously.

SURETY TRANSFERS

ITEM 17

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

ITEM 18

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

ITEM 19

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

ITEM 20

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

ITEM 21

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

ITEM 22

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

Ohio Valley Reporting
(270) 683-7383
MR. NOFFSINGER: Mr. Chairman, Surety

Transfers Items 17 through 22 are in order and may be
transferred in toto.

CHAIRMAN: Would there be any questions?

(NO RESPONSE)

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

CHAIRMAN: Motion for approval by Mr.
Cambron.

MR. APPLEBY: Second.

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.

Chair is ready for one final motion.

DR. BOTHWELL: Motion to adjourn.

CHAIRMAN: Motion for adjournment by Dr.
Bothwell.

MR. APPLEBY: Second.

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Meeting is adjourned.

-----------------------------------------

Ohio Valley Reporting
(270) 683-7383
STATE OF KENTUCKY)
) SS: REPORTER'S CERTIFICATE
COUNTY OF DAVIESS)

I, LYNNETTE KOLLER, Notary Public in and for
the State of Kentucky at Large, do hereby certify that
the foregoing Owensboro Metropolitan Planning & Zoning
meeting was held at the time and place as stated in
the caption to the foregoing proceedings; that each
person commenting on issues under discussion were duly
sworn before testifying; that the Board members
present were as stated in the caption; that said
proceedings were taken by me in stenotype and
electronically recorded and was thereafter, by me,
accurately and correctly transcribed into the
foregoing 18 typewritten pages; and that no signature
was requested to the foregoing transcript.

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

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

COMMISSION EXPIRES:
DECEMBER 19, 2006

COUNTY OF RESIDENCE:
DAVIESS COUNTY, KENTUCKY

Ohio Valley Reporting
(270) 683-7383