

1 OWENSBORO METROPOLITAN PLANNING COMMISSION

2 OCTOBER 9, 2003

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4 The Owensboro Metropolitan Planning
5 Commission met in regular session at 6:00 p.m. on
6 Thursday, October 9, 2003, at City Hall, Commission
7 Chambers, Owensboro, Kentucky, and the proceedings
8 were as follows:

- 9 MEMBERS PRESENT: Drew Kirkland, Chairman
- 10 Gary Noffsinger
- 11 Dave Appleby
- 12 Jimmy Gilles
- 13 Scott Jagoe
- 14 Irvin Rogers
- 15 Sister Vivian Bowles
- 16 Judy Dixon
- 17 Dr. Mark Bothwell
- 18 Martin Hayden
- 19 Stewart Elliott,
- 20 Attorney

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22 CHAIRMAN: I'd like to welcome everyone to
23 the Owensboro Metropolitan Planning & Zoning meeting
24 of October 9, 2003. Let's please stand for our
25 invocation and pledge of allegiance by Sister Vivian
Bowles.

(INVOCATION AND PLEDGE OF ALLEGIANCE.)

CHAIRMAN: The first order of business
will be to consider the minutes of the September 11,
2003, meeting. Are there any corrections, additions?

1 (NO RESPONSE)

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

4 MS. DIXON: Move to approve.

5 CHAIRMAN: Motion for approval by Ms.
6 Dixon.

7 DR. BOTHWELL: Second.

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

10 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

11 CHAIRMAN: Motion carries unanimously.

12 Next item, Mr. Noffsinger.

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14 PUBLIC FACILITIES PLANS
15 REVIEW FOR CONSISTENCY WITH COMPREHENSIVE PLAN

16 ITEM 2

17 5005 KY 54
18 Building Construction
19 Consider comments regarding the construction of a new
20 fire station.
21 Referred by: Daviess County Fiscal Court

22 MR. NOFFSINGER: Mr. Chairman, this
23 application has been reviewed by the Planning Staff.
24 We find no conflict with the adopted Comprehensive
25 Plan and would recommend we forward a letter to that
affect to the Daviess County Fiscal Court.

CHAIRMAN: Are there any questions from

1 the audience?

2 (NO RESPONSE)

3 CHAIRMAN: Questions of the commission?

4 (NO RESPONSE)

5 CHAIRMAN: If not, the Chair is ready for
6 a motion.

7 MR. HAYDEN: Make a motion for approval.

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

10 SISTER VIVIAN: Second.

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

13 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

14 CHAIRMAN: Motion carries unanimously.

15 Next item.

16 ITEM 3

17 6724 KY 56

Building Construction

18 Consider comments regarding the construction of a
19 30-foot by 30-foot storage building at the Sorgho Fire
Station.

20 Referred by: Daviess County Fiscal Court

21 MR. NOFFSINGER: Mr. Chairman, Planning

22 Staff has reviewed this application. We find no

23 conflict with the adopted Comprehensive Plan.

24 CHAIRMAN: Any questions from the
25 audience?

1 (NO RESPONSE)

2 CHAIRMAN: From the commission?

3 (NO RESPONSE)

4 CHAIRMAN: Chair is ready for a motion.

5 MS. DIXON: Move to approve.

6 CHAIRMAN: Motion for approval by Ms.

7 Dixon.

8 MR. HAYDEN: Second.

9 CHAIRMAN: Second by Mr. Hayden. All in
10 favor raise your right hand.

11 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

12 CHAIRMAN: Motion carries unanimously.

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14 ZONING CHANGES - CITY

15 ITEM 4

16 1801 Frederica Street, 0.22 acres
17 Consider zoning change: From R-4DT Inner-City
18 Residential to P-1 Professional Service
19 Applicant: JMN Ventures, LLC

19 MR. ELLIOTT: State your name, please.

20 MS. STONE: Becky Stone.

21 (MS. BECKY STONE SWORN BY ATTORNEY.)

22 PLANNING STAFF RECOMMENDATIONS

23 Staff recommends approval because the proposal is
24 in compliance with the community's adopted
25 Comprehensive Plan. This recommendation is made

1 subject to the conditions and findings of fact that
2 follow:

3 Conditions:

4 1. No direct access on Frederica Street or West
5 18th Street. The existing direct access point on West
6 18th Street shall be closed. Access shall be limited
7 to the existing alley that intersects with West 18th
8 Street.

9 2. Paved off-street parking shall be provided in
10 accordance with the requirements of the Owensboro
11 Metropolitan Zoning Ordinance.

12 3. Vehicular use areas must be screened from
13 public right-of-way and from adjacent residential
14 properties with a minimum 3-foot high continuous
15 element and one tree per 40-feet of boundary; and,

16 4. A roadway buffer of 30-feet from the street
17 centerline on West 18th Street and 60-feet from the
18 street centerline on Frederica Street shall be
19 maintained.

20 Findings of Fact:

21 1. The subject property is located in a Central
22 residential Plan Area, where professional/service uses
23 are appropriate in limited locations;

24 2. The applicant's request is a logical
25 expansion of the existing P-1 Professional/Service

1 zone and use to the west across Frederica Street;

2 3. The subject property will serve as a buffer
3 use between the B-4 General Business zone to the north
4 across West 18th Street and the R-4DT Inner-City
5 Residential zone to the south; and,

6 4. The expansion of the P-1 Professional/Service
7 zone will not overburden the capacity of roadways and
8 other necessary urban services that are available in
9 the affected area.

10 MS. STONE: We would like the Staff Report
11 entered as Exhibit A into the record.

12 CHAIRMAN: Is there anybody representing
13 the applicant in the audience?

14 (NO RESPONSE)

15 CHAIRMAN: Is there any questions from
16 anybody in the audience?

17 (NO RESPONSE)

18 CHAIRMAN: Questions from the commission?

19 (NO RESPONSE)

20 CHAIRMAN: If not the Chair is ready for a
21 motion.

22 MR. ROGERS: Motion for approval based on
23 Planning Staff's Recommendations along with Conditions
24 1 through 4 and Findings of Fact 1 through 4.

25 CHAIRMAN: Motion for approval by Mr.

1 Rogers.

2 MR. JAGOE: Second.

3 CHAIRMAN: Second by Mr. Jagoe. All in
4 favor raise your right hand.

5 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

6 CHAIRMAN: Motion carries unanimously.

7 ITEM 5

8 1201, 1203 Hathaway Street, 0.278 acres
9 Consider zoning change: From R-4DT Inner-City
10 Residential to P-1 Professional/Service
11 Applicant: Owensboro Mercy Health System and
12 Owensboro Medical Plaza, LLC

13 PLANNING STAFF RECOMMENDATIONS

14 Staff recommends approval because the request is
15 in compliance with the community's adopted
16 Comprehensive Plan. This recommendation is made
17 subject to the conditions and findings of fact that
18 follow:

19 Conditions:

20 1. No direct access to East Parrish shall be
21 permitted; and

22 2. A roadway buffer measuring 50-feet from the
23 centerline of East Parrish shall be maintained. No
24 parking or required landscaping shall be permitted
25 within the roadway buffer.

3. Consolidation of the subject property to the
Medical Center lot at 1200 Breckenridge Street or a

1 conditional use permit approved by the Board of
2 Adjustment for the use of the subject property as a
3 parking lot.

4 FINDINGS OF FACT:

5 1. The subject property is located in a
6 Professional Service Plan Area, where
7 professional/service uses are appropriate in general
8 locations;

9 2. The applicant's request is appropriate to the
10 anticipated development in the affected area; and,

11 3. The applicant's request allows for expansion
12 of the anticipated non-residential development and
13 services in the affected area.

14 MS. STONE: We would like the Staff Report
15 entered as Exhibit B.

16 CHAIRMAN: Is anybody representing the
17 applicant?

18 MR. MEYER: Yes.

19 MR. ELLIOTT: State your name, please.

20 MR. MEYER: John David Meyer.

21 (MR. JOHN DAVID MEYER SWORN BY ATTORNEY.)

22 MR. MEYER: Mr. Chairman, Ladies and
23 Gentlemen of the Commission, my name is J.D. Meyer. I
24 represent Owensboro Medical Plaza, LLC. We just ask
25 that you approve the zoning change tonight. I'm here

1 to answer any questions that you all may have.

2 CHAIRMAN: Thank you, Mr. Meyer.

3 Does anybody from the audience have any
4 questions?

5 Yes, sir, step to the podium, please.

6 MR. ELLIOTT: State your name, please.

7 MR. WILLIAMS: I'm W.T. Williams.

8 (MR. W.T. WILLIAMS SWORN BY ATTORNEY.)

9 MR. WILLIAMS: My objections is, the back
10 end of these two pieces of property here, one at 1201
11 and 1203 Hathaway Street, is about less than 8-foot
12 from my bedroom windows. According to what they tell
13 me up here in Planning, all they have to do is just
14 plant some 3-foot bushes and a couple of trees out
15 there. They'll have cars in and out there in that
16 parking lot that will be where my bedroom windows
17 won't have any privacy at all. So I think if you all
18 are going to give them this permit that you ought to
19 put a stipulation in there to take care of other
20 people's property too like putting up a privacy fence
21 there where the bedroom of this house.

22 CHAIRMAN: In the ordinance, there are
23 certain stipulations. The stipulations are such that
24 they must put up, a 3-foot screen is in the ordinance.
25 That is what is provided. We could ask - - with your

1 permission I'll call Mr. Meyer back and see if
2 possibly they would consider another, but within the
3 stipulations of the regulation a 3-foot median is what
4 is required.

5 MR. WILLIAMS: Three foot thing wouldn't
6 do any good at all.

7 CHAIRMAN: I'm not debating that fact with
8 you. I'm just stating what the regulations state that
9 must be done.

10 MR. WILLIAMS: What they have done in the
11 future (sic) over there on the other parking lot they
12 just put a 6-inch piece of concrete all the way around
13 it. Cars drive right across it sometimes and right up
14 in my yard. Now then - - I don't know what's going to
15 happen when they put in this parking lot over here
16 because it will be right there next to my house.
17 These others are back from my house quite a ways here.
18 Not quite a ways, but I'd say at least 15 or 20 foot
19 over here on the side. They're not - - because they
20 have to come back off of state highway out here so far
21 with it. So it puts it in the back part of my house
22 rather than along the side of it.

23 CHAIRMAN: Let me call Mr. Meyer back to
24 the stand with your permission. Do you have any other
25 questions?

1 MR. WILLIAMS: No. That's the only
2 question I really have.

3 CHAIRMAN: This other gentleman, I believe
4 you raised your hand. Do you have any comments?

5 MR. EDGE: Yes.

6 CHAIRMAN: You have to come to the podium.

7 MR. ELLIOTT: State your name, please.

8 MR. EDGE: Paul Edge.

9 (MR. PAUL EDGE SWORN BY ATTORNEY.)

10 MR. EDGE: The only thing I'm interested
11 in is this that alley that goes between Hathaway - -

12 CHAIRMAN: Excuse me, Mr. Edge. Would you
13 get a little bit closer to the microphone or speak up
14 a little bit. I'm having a little trouble hearing
15 you.

16 MR. EDGE: I've got a slight cold.

17 That alley that goes between Hathaway and
18 the alley behind the medical center there, I don't
19 want it closed, in other words.

20 CHAIRMAN: Let's address both of your
21 questions at once.

22 Does anybody else have any other questions
23 or comments?

24 (NO RESPONSE)

25 CHAIRMAN: Mr. Noffsinger, could you

1 address the question about the alley, please?

2 MR. NOFFSINGER: Yes, sir. That would be
3 an issue to take up with the Owensboro City
4 Commission. The Planning Commission does not have
5 authority regarding alley closings. They can, only in
6 advisory capacity, once an application is submitted to
7 the City Commission. So that's an issue to take up
8 with the City Commission.

9 CHAIRMAN: Mr. Meyer, would you return to
10 the podium, please.

11 We have a question in regards to a
12 neighbor of the property, which would be contiguous
13 property to your client's property. A 3-foot median
14 is what is required by the ordinance. I think with
15 his question, I think maybe his question is to the
16 fact would you consider putting up a different median
17 between the two pieces of property.

18 MR. MEYER: I would have to confer that
19 with my client. At this time he does not have - - I
20 do not have the authority to do that. I will consider
21 and talk to him about that. This is the first I've
22 heard of this matter. We could consider that;
23 however, I would state that if the 3-foot median or
24 the 3-foot barrier is all that is required, most
25 access will be during business hours, during the day.

1 So this gentleman will not be having light shining in
2 his bedroom or anything of that nature in the middle
3 of the night. So I believe that's what's required of
4 the Planning Commission and under the ordinance is
5 simply the 3-foot barrier, but I will take the matter
6 up with my client as is requested by the commission.

7 CHAIRMAN: Thank you.

8 Mr. Noffsinger, in regards to the property
9 owners making a request, and I can appreciate being a
10 property owner myself as you are, his request, but
11 where does that put us as a Planning Commission?

12 MR. NOFFSINGER: You have the ability to
13 approve the application as recommended by Staff, which
14 would meet the minimum requirements of the zoning
15 ordinance or you have the ability to request of the
16 applicant that a condition be placed on the rezoning
17 to where a 6-foot high element would be installed
18 along that eastern property line. I would say
19 southern property line as well. In this case it would
20 just be the eastern property line because the southern
21 property line has already been zoned. The applicant
22 would need to address that and be willing to install
23 the 6-foot high element.

24 Typically when a parking lot adjoins a
25 residential property, it's a 3-foot high element.

1 That 3-foot high element is there to provide somewhat
2 of a buffer and it should hide the headlights from the
3 adjoining property. That's why it's 3-feet. That's
4 what it's designed to do. Six-foot high element
5 would certainly go beyond that, but would also provide
6 somewhat of a sound buffer, if you will.

7 MR. ELLIOTT: Gary, they have to get a
8 conditional use permit for parking, don't they? Isn't
9 that one of the conditions? If they did, I'm thinking
10 that that may be the place to address this.

11 MR. APPLEBY: Or consolidate it I think
12 was the requirement.

13 MR. ELLIOTT: I thought it was a
14 conditional use permit for the parking permit.

15 MR. NOFFSINGER: Well, if you had a
16 free-standing parking lot that's not consolidated in
17 with the existing parking areas, then that's correct.
18 There would be a conditional use permit, but if it's
19 consolidated there's no conditional use permit. I
20 don't know what their intentions are.

21 CHAIRMAN: That's where we stand. It
22 meets the minimum requirement. So we have asked the
23 hospital to consider that, but we cannot enforce that
24 criteria on the hospital because they have met what is
25 our minimum requirements.

1 MR. WILLIAMS: In other words, it would be
2 up to them whether they want to put it in there or
3 not? You all are going to give them the zoning thing.
4 It will be up to them whether they want to put the
5 fence in there or not, right?

6 CHAIRMAN: Well, we haven't given them
7 anything yet. The board is yet to vote. I'm just
8 saying the board is held by the requirements that the
9 standards that we set that they must meet before they
10 make their application. If they meet the minimum
11 requirements, then we are somewhat bound by those
12 rules and regulations to vote on it according to that.
13 I'm just saying we're trying - - in your best
14 interest, we understand your situation too.

15 MR. WILLIAMS: Well, another question I
16 want to ask you is how much is the state requiring
17 them to come back with that parking lot off of Parrish
18 Avenue?

19 CHAIRMAN: Mr. Noffsinger.

20 MR. NOFFSINGER: There is a roadway
21 buffer. I believe that is indicated in the case
22 review. Fifty feet from the center line of Parrish
23 Avenue. That's where the landscaping would start. So
24 the parking area would possibly start 53-feet from the
25 center line of Parrish Avenue.

1 MR. WILLIAMS: They'll have to come back
2 50-foot from the center line of Parrish before they
3 can start their parking lot. Is that what you're
4 telling me?

5 MR. NOFFSINGER: They're landscaping. The
6 parking would begin 53-feet from the center line
7 because they are required to have a 3-foot wide
8 landscape easement.

9 MR. WILLIAMS: That's what I wanted to
10 find out. Really and truly they run close to my
11 house. They're less than 8-feet from my house, the
12 back end of their lots, of these two lots there I gave
13 you the address of them. They're less than 8-feet
14 from the side of my house. That's why I was asking
15 about getting some type of a privacy fence up there
16 because they're just been putting up a little 6-inch
17 concrete slab around there is all they've been putting
18 up around their other parking lot. If that's true,
19 the cars have been coming over these and up in my yard
20 before. If there's people there that's got kids out
21 there playing in the yard or something, it's very easy
22 for somebody to come over there and run over one of
23 them.

24 MR. ROGERS: Could we not add the
25 condition in here for the 6-foot buffer?

1 MR. NOFFSINGER: You can do that, but you
2 should do so - - first, you should request that of the
3 applicant and the applicant should let you know if
4 they agree to that condition.

5 MR. ROGERS: He said he doesn't have the
6 authority to tell us tonight.

7 MR. NOFFSINGER: Well, he needs to give us
8 a yes or no, I think, as to whether or not they're
9 willing to do it.

10 CHAIRMAN: Let me ask you if you would be
11 seated and let me bring Mr. Meyer back for another
12 statement.

13 Mr. Meyer, I think you can see where we're
14 headed with this.

15 MR. MEYER: If a 6-foot buffer is what is
16 required, - -

17 CHAIRMAN: A 6-foot buffer is not
18 required. A 3-foot buffer is what is required.

19 MR. MEYER: Right. In order to pass the
20 motion, we can, and if it's the commission's desire,
21 we would construct a 6-foot buffer and would be
22 willing to do that.

23 CHAIRMAN: Now, it is not the commission's
24 desire. It's a request of the applicant (sic). The
25 commission has made no desire.

1 MR. MEYER: We would certainly do that if
2 it is voted on and requested in that manner, that we
3 would construct a 6-foot buffer of some type in that
4 area.

5 CHAIRMAN: Thank you, Mr. Meyer. Would
6 you be seated.

7 Mr. Rogers.

8 MR. ROGERS: I make a motion for approval
9 based on Planning Staff Recommendations with
10 Conditions 1 through 3. I'd like to add Condition 4
11 that a 6-foot buffer fence be put up on the east side,
12 and Findings of Facts 1 through 3.

13 DR. BOTHWELL: Second.

14 CHAIRMAN: Second by Dr. Bothwell. 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 ITEM 6

20 1315 Hathaway Street, 0.218 acres
21 Consider zoning change: From R-4DT Inner-City
22 Residential to P-1 Professional/Service
23 Applicant: Owensboro Mercy Health System and
24 Owensboro Medical Plaza, LLC

25 PLANNING STAFF RECOMMENDATIONS

 Staff recommends approval because the request is
 in compliance with the Community's Comprehensive Plan.

1 This recommendation is made subject to the condition
2 and findings of fact that follow:

3 Condition:

4 1. Consolidation of the subject property to the
5 Medical Center lot at 1200 Breckenridge or a
6 conditional use permit approved by the Board of
7 Adjustment for the use of the subject property as a
8 parking lot.

9 Findings of Fact:

10 1. The subject property is located in a Central
11 Residential Plan Area, where professional/service uses
12 are appropriate in limited locations;

13 2. The applicant's request is a logical
14 expansion of the existing P-1 professional/service
15 zone to the north, east and south; and,

16 3. The applicant's request will not overburden
17 the capacity of roadways and other necessary urban
18 services in the affected area.

19 MS. STONE: We'd like the Staff Report
20 entered as Exhibit C.

21 CHAIRMAN: Is anybody here representing
22 the applicant?

23 APPLICANT REP: Yes.

24 CHAIRMAN: Does anybody from the audience
25 have any questions?

1 (NO RESPONSE)

2 CHAIRMAN: Does anybody on the commission
3 have any questions?

4 (NO RESPONSE)

5 CHAIRMAN: If not, the Chair is ready for
6 a motion.

7 DR. BOTHWELL: Motion for approval.

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

10 MR. HAYDEN: Second.

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

13 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

14 CHAIRMAN: Motion carries unanimously.

15 Next item, please.

16 ITEM 7

17 1321, 1327 Hathaway Street, 0.33 acres
18 Consider zoning change: From R-4DT Inner-City
19 Residential to P-1 Professional Service
20 Applicant: Owensboro Mercy Health System and
21 Owensboro Medical Plaza, LLC

22 PLANNING STAFF RECOMMENDATIONS

23 Staff recommends approval because the request is
24 in compliance with the Community's Comprehensive Plan.
25 This recommendation is made subject to the conditions
and findings of fact that follow:

Conditions:

1 1. Vehicular use areas shall be buffered from
2 adjoining residentially zoned properties with a
3 minimum of a 3-foot high continuous element and one
4 tree per 40-feet of VUA boundary.

5 2. Consolidation of the subject property to the
6 Medical Center lot at 1200 Breckenridge or a
7 conditional use permit approved by the Board of
8 Adjustment for the use of the subject property as a
9 parking lot.

10 Findings of Fact:

11 1. The subject property is located in a Central
12 Residential Plan Area, where professional/service uses
13 are appropriate in limited locations;

14 2. The applicant's request is a logical
15 expansion of the existing P-1 professional/service
16 zone to the north; and,

17 3. The applicant's request will not overburden
18 the capacity of roadways and other necessary urban
19 services in the affected area.

20 MS. STONE: This is Exhibit D entered into
21 the record.

22 CHAIRMAN: Is anybody here representing
23 the applicant?

24 APPLICANT REP: Yes.

25 CHAIRMAN: Any questions from the

1 audience?

2 Yes, sir. Step to the podium, please.

3 MR. ELLIOTT: Restate your name, please.

4 MR. EDGE: Paul Edge.

5 I'm still interested in that alley that's
6 going between Hathaway and the other.

7 CHAIRMAN: Mr. Noffsinger.

8 MR. NOFFSINGER: You need to discuss that
9 issue with the Owensboro City Commission.

10 MR. EDGE: Why do I do that?

11 MR. NOFFSINGER: They are the ones - -
12 it's a public alley and they are the ones that
13 consider and have final approval on alley closing.
14 Their representative is Marwan Rayan. He's the city
15 engineer.

16 MR. EDGE: They're not going to close the
17 alley through this Planning & Zoning?

18 MR. NOFFSINGER: Not through this board,
19 no, sir.

20 MR. EDGE: That's all I'm interested in.

21 CHAIRMAN: Thank you.

22 Are there any questions from the
23 commission?

24 (NO RESPONSE)

25 CHAIRMAN: If not, the Chair is ready for

1 a motion.

2 DR. BOTHWELL: Motion for approval.

3 CHAIRMAN: Motion for approval by Dr.
4 Bothwell.

5 SISTER VIVIAN: Second.

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

8 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

9 CHAIRMAN: Motion carries unanimously.

10 Next item, please.

11 -----

12 ZONING CHANGE - COUNTY

13 ITEM 8

14 4501, 4601 Blocks Wayne Bridge Road, 4.005 acres
15 Consider zoning change: From A-R Rural Agriculture
16 and R-1A Single-Family Residential to R-1A
Single-Family Residential
Applicant: Richard and Tammie Thomas

17 PLANNING STAFF RECOMMENDATIONS

18 Staff recommends approval because the request is
19 in compliance with the community's adopted
20 Comprehensive Plan. Findings of fact in support of
21 this recommendation include:

22 Findings of Fact:

- 23 1. The subject property is located in a Rural
24 Preference Plan Area, where rural small-lot
25 residential uses are appropriate in very-limited

1 locations;

2 2. Separate lots can be created along the public
3 road;

4 3. Lots can be created that are properly sized
5 for conventional septic tank systems; and

6 4. The applicants' request is a logical
7 expansion of existing small-lot residential zoning in
8 the area that will not significantly increase the
9 extent of the R-1A zone in the area and will not
10 overburden the capacity of roadways and other
11 necessary services available in the affected area.

12 MS. STONE: This is Exhibit E.

13 CHAIRMAN: Is there anybody here
14 representing the applicant?

15 APPLICANT REP: Yes.

16 CHAIRMAN: Any questions from the
17 audience?

18 (NO RESPONSE)

19 CHAIRMAN: Questions from the commission?

20 (NO RESPONSE)

21 CHAIRMAN: Chair is ready for a motion.

22 MS. DIXON: Move to approve based upon
23 Planning Staff Recommendations, Findings of Fact 1
24 through 4.

25 CHAIRMAN: Motion for approval by Ms.

1 Dixon.

2 MR. HAYDEN: Second.

3 CHAIRMAN: Second by Mr. Hayden. All in
4 favor raise your right hand.

5 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

6 CHAIRMAN: Motion carries unanimously.

7 Next item, please.

8 -----

9 COMBINED DEVELOPMENT PLANS/MAJOR SUBDIVISIONS

10 ITEM 9

11 4612, 4700, 4800, 4950 KY 56, 87.575, 7.00 acres
12 Consider approval of amended major subdivision
13 preliminary plat/final development plan.
14 Applicant: Bellevue Baptist Church

15 MR. NOFFSINGER: Mr. Chairman, first I'd
16 like to disclose that I am a member of the Bellevue
17 Baptist Church and I do plan to participate in this
18 particular item at this time.

19 The item has been reviewed by the Planning
20 Staff. The item is found to be in order. Ms. Becky
21 Stone of Planning Staff has a brief presentation she
22 would like to make.

23 MS. STONE: We want to put information in
24 the record regarding this development and the attempt
25 to implement the transportation element of the
comprehensive plan. So I have several exhibits I

1 would like to enter and I'll go through those.

2 The Owensboro Metropolitan Subdivision
3 Regulations Section 5.2 holds the subdivider
4 responsible in connection with arterial and major
5 collector streets designated by the comprehensive plan
6 for the dedication of land strips to dedicate
7 appropriate full rights-of-way when alignments line
8 within the proposed subdivision.

9 This is Exhibit 1 in your packet. It's a
10 copy of this section of 5.1 and .21 of the Subdivision
11 Regulations that give the Planning Commission
12 authority to dedicate rights-of-way for improvements
13 on streets.

14 Kentucky 81 and Kentucky 56 are both
15 identified as minor arterial roadways in the Adopted
16 Comprehensive Plan for Owensboro, Whitesville and
17 Daviess County, Kentucky.

18 Exhibit 2 in the packet - -

19 MR. NOFFSINGER: Excuse me. Ms. Stone,
20 before you go into that, would you describe what
21 you're trying to address the issue notations on the
22 plat?

23 MS. STONE: Okay. There has been a
24 notation requested and given on the plat, on the final
25 development plan, as well as the final plat, regarding

1 the dedication of right-of-way for future improvement
2 at the Kentucky 81/Kentucky 56 intersection.

3 That notation qualifies that right-of-way
4 dedication. We have a copy in this exhibit. I can
5 read that into the record at this time and then go
6 through the exhibits.

7 The note states that, "The transportation
8 element of the Adopted Comprehensive Plan recognizes
9 the realignment of the Kentucky 81 and Kentucky 56
10 intersection through Tract 2 in lieu of the owner of
11 Tract 2 improving the intersection. The owner agrees
12 for a period of two years from the date of the
13 recording of the final plat to dedicate to the public,
14 if requested, a right-of-way not to exceed 2.6 acres,
15 without monetary consideration for the realignment of
16 Kentucky 81. The area of consideration will be
17 located between Kentucky 81 and the eastern boundary
18 of Tract 2A and extending south to the southern
19 property line of Tract 2. Upon completion of an
20 alignment study by a public agency within the
21 aforesaid two year period, that identifies the need
22 for and the location of a right-of-way across Tract 2
23 and upon request by the public agency, the owner of
24 Tract 2 agrees to dedicate right-of-way to the public
25 as described herein."

1 The reason for this notation is it says in
2 that note is in lieu of improvements to that
3 intersection of Kentucky 81 and Kentucky 56, or
4 without having to do a traffic impact study that's
5 going to identify what those improvements might be.

6 Kentucky 81 and Kentucky 56 are both
7 identified as minor arterial roadways in the Adopted
8 Comprehensive Plan.

9 We have as Exhibit 2 in your packet that
10 is Section 510, Page 5111, and it's an exhibit that
11 identifies major highways, streets and roads in
12 Daviness County and their classifications and traffic
13 projections.

14 Improvements to Kentucky 81 and Kentucky
15 56 are included in a long range transportation plan
16 for Daviness County. We have three exhibits that
17 indicate their inclusion in that long range traffic
18 plan.

19 The first Exhibit 2 is Page 516 from the
20 Comprehensive Plan. I'm sorry. It's Exhibit 3. It's
21 Page 516. That is the Roadway Improvement Items.

22 Exhibit 4 is Kentucky Transportation
23 Cabinet Unscheduled State Highway Plan Needs For
24 Owensboro Area MPO.

25 Exhibit 5 is the Green River Area

1 Development District Transportation Map.

2 All of these include this project in the
3 long range transportation plan.

4 The project is described to widen Kentucky
5 81 from four lanes to intersection with Kentucky 56
6 and realign the intersection of Kentucky 81/Kentucky
7 56 and Worthington Road. This project is to relieve
8 congestion and reconstruction of the intersection.
9 The project is a total of 0.614 miles in length.

10 I have entered into as Exhibit 6 the
11 Transportation Plan Projects where this project is
12 described and the estimate amount for completion is
13 included in that.

14 Additionally the Technical Advisory
15 Committee of Owensboro-Daviess County Urban
16 Transportation Study has rated this project as Number
17 10 on the Unscheduled Needs List.

18 I have for the record Exhibit 7 which is a
19 copy of the minutes from the November 26, 2002
20 Technical Advisory Committee that list this project as
21 Number 10 on the Unscheduled Needs List.

22 The Comprehensive Plan addresses the
23 relationship of major roadways to land use. I'll read
24 this into the record.

25 "Roadways themselves are land uses because

1 they occupy space on the land. The amount of space -
2 right-of-way width - they require to function
3 efficiently and safely is determined largely by the
4 amount of traffic they must carry. There exists a
5 cyclic relationship between land development and
6 traffic generation."

- 7 1. Development generates vehicular trips.
- 8 2. Trips increase transportation needs.
- 9 3. Transportation needs cause
10 transportation improvements.
- 11 4. Improved transportation increases land
12 access.
- 13 5. Improved accessibility increases land
14 values.
- 15 6. Increased land value intensifies land
16 development.
- 17 7. Increased development generates more
18 trips; and then the cycle begins again.

19 "Undersized roadways and too many access
20 points lead to reductions in level of service and
21 safety of roadways, and a correlated reduction in the
22 development potential of adjoining land. Major
23 improvements to roadways usually are not made until
24 critically warranted. By this time, they are often
25 very costly propositions due to necessary right-of-way

1 acquisition - which may require the purchase of sound
2 buildings - and due to utility relocation and
3 construction costs.

4 "Reservation of right-of-way is
5 recommended as an important way to facilitate the
6 implementation of planned roadway improvements."

7 We would like to enter this page from the
8 Comprehensive Plan as Exhibit 8 into the record.

9 The Land Use Plan Element of the
10 Comprehensive Plan also speaks to improvements of
11 roadways as a result of proposed development.

12 "All development sites and lots should be
13 accessible by vehicle, and traffic flow should be
14 efficient and safe. The scope of any development, and
15 the corresponding traffic it generates, should be
16 commensurate with the capacity of existing and
17 proposed roadways. Obviously, new roadways should be
18 properly designed to provide for anticipated traffic
19 patterns and volumes.

20 With Respect to Existing Roadways

21 "A proposed development should not be
22 approved if it would overburden the capacities of
23 existing roadways or would create congestion at
24 intersections, unless appropriate road improvements
25 are currently planned or are committed to by the

1 developer. As appropriate, road improvements may
2 involve widening, straightening, reduction of vertical
3 curves or the addition of through-traffic lanes, and
4 deceleration or turn lanes for high-traffic driveways
5 or street intersections.

6 This is Exhibit 9, Page 445 from the Land
7 Use Element of the Comprehensive Plan.

8 A review of this project by Keith Harpole,
9 the Associate Director for Transportation Planning,
10 addresses the need for reconstruction of the Kentucky
11 81 and Kentucky 56 intersection as soon as possible.
12 We have have a letter from GRADD from Keith Harpole.
13 I'll read that into the record and enter that as
14 Exhibit 10.

15 It's written to Mr. Gary Noffsinger,
16 Director of Owensboro Planning Commission.

17 "Dear Gary: The Green River Area
18 Development District (GRADD) is the designated
19 Metropolitan Planning Organization (MPO) for
20 Owensboro-Daviess County. The MPO is responsible for
21 the transportation planning for the urban area.

22 The MPO recently conducted a traffic study
23 at the intersection of Kentucky 81 and Kentucky 56.
24 The MPO staff conducted traffic counts during the peak
25 hours of 6:00 to 8:00 a.m. and 3:00 to 6:00 p.m.

1 There were a total of 5,298 vehicles utilizing the
2 intersection during the five hours of the count. The
3 peak hour was between 4:00 and 5:00 p.m. when a total
4 of 1,223 vehicles entered the intersection.

5 "The major direction of travel was between
6 the Sorgho area eastbound and Owensboro westbound,
7 with total vehicle trips of 3,204, a percentage of
8 60.5 of total vehicle trips. The morning peak hour,
9 7:00 to 8:00 a.m., produces considerable delay on the
10 eastbound leg of the intersection. This is due to the
11 high volume of school traffic during the peak hour.

12 "The MPO has this intersection on its Long
13 Range Transportation Plan. The intersection is ranked
14 in the Top Ten Highest Priority Projects. The area
15 along Kentucky 56 has been growing in residential and
16 is expected to grow in commercial and business traffic
17 in the future. Traffic volumes along Kentucky 56 have
18 increased 31 percent since 1986, between Kentucky 279
19 and Kentucky 81.

20 "With the added traffic volume associated
21 with Southern Star, Bellevue Baptist Church, along
22 with several new and expanding subdivisions along
23 Kentucky 56, the intersection of Kentucky 81/Kentucky
24 56/Worthington Road needs to be reconstructed in order
25 to handle the increased traffic in the near future.

1 "It is the recommendation of the MPO staff
2 that the intersection be reconstructed as soon as
3 possible to enhance safety and reduce vehicle delays
4 along Kentucky 56.

5 "If you have further questions or
6 comments, please do not hesitate to contact me."

7 That's signed by Keith Harpole.

8 In lieu of requiring the developer to make
9 the improvement of this intersection on the project or
10 to conduct traffic impact study to determine what
11 improvement should be made, dedication of right-of-way
12 without monetary compensation for future improvement
13 at this intersection was requested.

14 A notation was developed, placed on the
15 plat indicating that the owners of Tract 2 were
16 agreeable to a qualified right-of-way dedication when
17 an alignment route was known. After discussion with
18 the Staff regarding the notation, a copy of a reworded
19 note was faxed to the Staff by Ron Presser, an
20 attorney representing the owner/developer, and it is
21 this note that was placed on the preliminary
22 subdivision plat/final development plan and the final
23 plat.

24 Then that note that I read at the
25 beginning of the presentation is Exhibit 11 in this

1 presentation. Thank you.

2 CHAIRMAN: Thank you, Ms. Stone. Is there
3 anybody here representing the applicant?

4 APPLICANT REP: Yes.

5 CHAIRMAN: Are there any questions of the
6 applicant?

7 If you don't mind, I think I'll take the
8 questions first and then bring you to the podium.

9 Would you step to the podium, please.

10 MR. ELLIOTT: State your name, please.

11 MR. BROWN: Aaron Brown.

12 (AARON BROWN SWORN BY THE ATTORNEY.)

13 MR. BROWN: Only question is the date on
14 the letter from GRADD.

15 MR. NOFFSINGER: Today's date, I believe.

16 CHAIRMAN: Are there any other questions?

17 (NO RESPONSE)

18 CHAIRMAN: Are there any questions from
19 the staff?

20 (NO RESPONSE)

21 CHAIRMAN: If not, the Chair is ready for
22 a motion.

23 MR. APPLEBY: Motion for approval.

24 CHAIRMAN: Motion for approval by Mr.
25 Appleby.

1 DR. BOTHWELL: Second.

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

4 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

5 CHAIRMAN: Motion carries unanimously.

6 Next item, please.

7 ITEM 10

8 2522, 2526 West Fifth Street, 1.478 acres
9 Consider approval of amended major subdivision
10 preliminary plat/final development plan.
11 Applicant: Tom Weis

11 MR. NOFFSINGER: Mr. Chairman, this
12 application has been reviewed by the Planning Staff
13 and Engineering Staff. Found to be in order and ready
14 for consideration.

15 CHAIRMAN: Is anybody here representing
16 the applicant?

17 (NO RESPONSE)

18 CHAIRMAN: Any questions from the
19 audience?

20 (NO RESPONSE)

21 CHAIRMAN: Any questions from the
22 commission?

23 (NO RESPONSE)

24 CHAIRMAN: Chair is ready for a motion.

25 MR. APPLEBY: Move to approve.

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

3 MS. DIXON: Second.

4 CHAIRMAN: Second by Ms. Dixon. All in
5 favor raise your right hand.

6 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

7 CHAIRMAN: Motion carries unanimously.

8 Next item, please.

9 -----

10 DEVELOPMENT PLANS

11 ITEM 11

12 1 Executive Boulevard, 17.00 acres
13 Consider approval of final development plan.
14 Applicant: John Bays, Executive Inn Rivermont

15 MR. NOFFSINGER: Mr. Chairman, this plan
16 has been reviewed by the Planning Staff and
17 Engineering Staff. It's found to be in order.

18 The Executive Inn has prepared a
19 development plan for the affected areas of their
20 property and they have been put on notice that future
21 construction, after this project, will require a
22 development plan for all facilities they have at the
23 site.

24 If this development plan is approved by
25 the Planning Commission, there should be a condition
to the approval that no construction permits be issued

1 until such time as all lots involved in this project
2 have been consolidated and an executed agreement with
3 the Regional Water Resource Agency has been given
4 prior to the issuance of the permits.

5 CHAIRMAN: Is there anybody here
6 representing the applicant?

7 APPLICANT REP: Yes.

8 CHAIRMAN: Are there any questions of the
9 applicant?

10 (NO RESPONSE)

11 CHAIRMAN: Does anybody on the commission
12 have a question of the applicant?

13 (NO RESPONSE)

14 CHAIRMAN: If not, the Chair is ready for
15 a motion.

16 DR. BOTHWELL: Motion to approve based on
17 the conditions as dated by Mr. Noffsinger.

18 CHAIRMAN: Motion for approval by Dr.
19 Bothwell.

20 MS. DIXON: Second.

21 CHAIRMAN: Second by Ms. Dixon. All in
22 favor raise your right hand.

23 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

24 CHAIRMAN: Motion carries unanimously.

25

1 ITEM 12

2 2070 Tamarack Road, 8.62 acres
3 Consider approval of amended final development plan.
4 Applicant: Owensboro Municipal Utilities.

5 MR. NOFFSINGER: Mr. Chairman, Item 12,
6 Owensboro Municipal Utilities has asked for that item
7 to be postponed.

8 CHAIRMAN: Do we need to vote on that, Mr.
9 Noffsinger?

10 MR. NOFFSINGER: Yes, sir.

11 MR. APPLEBY: Motion to postpone.

12 CHAIRMAN: Motion for postponement by Mr.
13 Appleby.

14 DR. BOTHWELL: Second.

15 CHAIRMAN: Second by Dr. Bothwell. All in
16 favor raise your right hand for postponement.

17 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

18 CHAIRMAN: The item is postponed.

19 Next item, please.

20 -----

21 MAJOR SUBDIVISIONS

22 ITEM 13

23 2400-2601 Blocks East Byers Avenue (For Development
24 Transfer), 105.945 acres
25 Consider approval of major subdivision final plat.
Applicant: National City Bank, Kentucky, Jagoe
Development Corp.

MR. JAGOE: Mr. Chairman, I need to

1 disqualify myself.

2 CHAIRMAN: Mr. Jagoe will be disqualified
3 from this vote and discussion.

4 Is there any questions from the audience?

5 (NO RESPONSE)

6 CHAIRMAN: Questions from the Commission?

7 (NO RESPONSE)

8 CHAIRMAN: Chair is ready for a motion.

9 DR. BOTHWELL: Motion for approval.

10 CHAIRMAN: Motion for approval by Dr.

11 Bothwell.

12 MR. APPLEBY: Second.

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

15 (ALL BOARD MEMBERS PRESENT RESPONDED AYE

16 WITH THE DISQUALIFICATION OF MR. JAGOE.)

17 CHAIRMAN: Motion carries unanimously.

18 Mr. Jagoe disqualified himself.

19 Next item, please.

20 ITEM 14

21 4612, 4700, 4800, 4950 KY 56, 7.00 acres
22 Consider approval of major subdivision final plat.

23 Surety (Certified Check and Performance Bond)

\$327,900.00

24 Applicant: Bellevue Baptist Church

25 MR. NOFFSINGER: Mr. Chairman, the

presentation that Ms. Stone made regarding Item Number

1 9 also pertains to this particular item. We can do it
2 one of two ways, whatever satisfies legal counsel.

3 Does she need to repeat that?

4 MR. ELLIOTT: No. We can incorporate it
5 in. I think you're going to put the same notation on
6 this plat as you did the other one.

7 MR. NOFFSINGER: Yes. Same notation and
8 the same exhibits will be entered into the record for
9 this particular item.

10 MR. ELLIOTT: Unless she wants to.

11 CHAIRMAN: I believe Ms. Stone is very
12 content with the previous reading. The Chair is very
13 pleased with it.

14 Is there anybody here representing the
15 applicant?

16 MR. McLIMORE: Yes.

17 CHAIRMAN: Any questions?

18 (NO RESPONSE)

19 CHAIRMAN: Mr. Noffsinger wants to know,
20 are you agreeable with what was read into the record?

21 MR. NOFFSINGER: Without reading it again
22 what was read into the record.

23 CHAIRMAN: Would you come and just be
24 sworn in and just state the above, please.

25 MR. ELLIOTT: State your name, please.

1 MR. McLIMORE: Donny McLimore.

2 (MR. DONNY McLIMORE SWORN BY ATTORNEY.)

3 MR. McLIMORE: I don't have any authority
4 other than I suppose as the representative of the
5 church prior to the meeting and since they couldn't
6 have anybody here, they're agreeable to what's on this
7 plat work that has been submitted.

8 CHAIRMAN: Thank you very much.

9 If there are no further questions or
10 comments from the audience or the commission, Chair is
11 ready for a motion.

12 MS. DIXON: Move to approve.

13 CHAIRMAN: Motion for approval by Ms.
14 Dixon.

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 -----

22 MINOR SUBDIVISIONS

23 ITEM 15

24 4700, 4720 Bratcher Hil Road, 3.67 acres
25 Consider approval of minor subdivision plat.
Applicant: Joseph and Patricia Mercer

1 MR. NOFFSINGER: Mr. Chairman, Planning
2 Staff has reviewed this application. Basically
3 reconfigures two existing lots of record. It's before
4 you because instead of having one lot that doesn't
5 meet depth to width ratios, will end up having two
6 lots that do not meet depth to width ratios; however,
7 the end result is probably better than what we started
8 with in terms of the lot layout. Staff is
9 recommending the plat be approved.

10 CHAIRMAN: Is there anybody here
11 representing the applicant?

12 APPLICANT REP: Yes.

13 CHAIRMAN: Does anybody in the audience
14 have a question of the applicant?

15 (NO RESPONSE)

16 CHAIRMAN: Commission?

17 (NO RESPONSE)

18 MR. APPLEBY: Is Chair ready for a motion?

19 CHAIRMAN: Chair is ready for a motion.

20 MR. APPLEBY: Motion for approval.

21 CHAIRMAN: Motion for approval by Mr.
22 Appleby.

23 MR. HAYDEN: Second.

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

1 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

2 CHAIRMAN: Motion carries unanimously.

3 Next item.

4 -----

5 SURETY RELEASES

6 ITEM 16

7 Jamestown Apartments, \$25,820.00
8 Consider release of surety (Irrevocable Letter of
9 Credit) for sanitary sewers.
Surety posted by: Jim Hawkins

10 ITEM 17

11 Samuel P. Sauer Property Division, \$2,500.00
12 Consider release of surety (Certified Check) for fire
13 hydrants.
Surety posted by: Samuel P. Sauer

14 MR. NOFFSINGER: Under Surety Releases

15 Items 16 and 17 are in order and may be released in
16 toto.

17 DR. BOTHWELL: Motion for approval.

18 CHAIRMAN: Motion for approval by Dr.
19 Bothwell.

20 MR. ROGERS: Second.

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

23 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

24 CHAIRMAN: Motion carries unanimously.

25 Next items, Mr. Noffsinger.

1 SURETY TRANSFERS

2 ITEM 18

3 Steve Church and Craig Sloan Property Division,
4 \$2,500.00
5 Transfer of surety (Certified Check) for fire hydrants
6 to the Daviess County Fiscal Court.
7 Surety posted by: Steve Church and Craig Sloan

8 ITEM 19

9 Cross Creek, Unit #1, \$2,500.00
10 Transfer of surety (Certificate of Deposit) for water
11 mains to the City of Owensboro.
12 Surety posted by: Lake Forest Community, LLC

13 ITEM 20

14 Lake Forest, Unit #16, \$240.00
15 Transfer of surety (Certified Check) for water mains
16 to the Daviess County Fiscal Court.
17 Surety posted by: Lake Forest Community, LLC

18 ITEM 21

19 Lake Forest, Unit #17, \$1,410.00
20 Transfer of surety (Certificate of Deposit) for water
21 mains and fire hydrants to the Daviess County Fiscal
22 Court.
23 Surety posted by: Lake Forest Community, LLC

24 ITEM 22

25 Bill Timbrook - KY 56, \$6,000.00
26 Transfer of surety (Performance Bond) for fire
27 hydrants to the Daviess County Fiscal Court.
28 Surety posted by: Bill Timbrook

29 MR. NOFFSINGER: Surety Transfers Items 18
30 through 22 are in order and may be transferred in
31 toto.

32 DR. BOTHWELL: Motion for approval.

33 CHAIRMAN: Motion for approval by Dr.

1 Bothwell.

2 MS. DIXON: Second.

3 CHAIRMAN: Second by Ms. Dixon. All in
4 favor raise your right hand.

5 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

6 CHAIRMAN: Motion carries unanimously.

7 Next item, Mr. Noffsinger.

8 -----

9 NEW BUSINESS

10 ITEM 23

11 Consider entrance of OMPC employees into the Office of
12 Public Employee's Health Insurance Program and
13 authorization of Planning Director to sign all
14 contracts.

14 MR. NOFFSINGER: Mr. Chairman, we are
15 currently looking at moving the Planning Commission
16 employees into the state health insurance pool. It
17 does require authorization and signing of a contract.
18 We will be looking into that.

19 I would ask that the Planning Commission
20 authorize me to sign any and all documents pertaining
21 to that that would be in the best interest of the
22 Planning Commission.

23 I can currently tell you what we're
24 looking at now would be really a wash-related two
25 rates. May very well be that the Planning Commission

1 is forced into the state retirement health insurance
2 pool at some point in the future. That's not the case
3 now, but we are looking at that and evaluating and
4 would like to move in the best interest of the
5 employees, as well as best interest of the Planning
6 Commission and keeping cost under control and as low
7 as possible.

8 DR. BOTHWELL: Motion for approval.

9 CHAIRMAN: Motion for approval by Dr.
10 Bothwell.

11 MS. DIXON: Second.

12 CHAIRMAN: Second by Ms. Dixon. All in
13 favor raise your right hand.

14 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

15 CHAIRMAN: Motion carries unanimously.

16 Do we have a final motion?

17 DR. BOTHWELL: Motion to adjourn.

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

20 MS. DIXON: Second.

21 CHAIRMAN: Second by Ms. Dixon. All in
22 favor raise your right hand.

23 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

24 CHAIRMAN: Meeting is adjourned.

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 47 typewritten pages; and that no signature
15 was requested to the foregoing transcript.

16 WITNESS my hand and notarial seal on this
17 the 29th day of October, 2003

18

19

LYNNETTE KOLLER, NOTARY PUBLIC
OHIO VALLEY REPORTING SERVICE
202 WEST THIRD STREET, SUITE 12
21 OWENSBORO, KENTUCKY 42303

22 COMMISSION EXPIRES:
DECEMBER 19, 2006

23

24 COUNTY OF RESIDENCE:
DAVIESS COUNTY, KENTUCKY

25