The Owensboro Metropolitan Planning Commission met in regular session at 6:00 p.m. on Thursday, August 9, 2001, at City Hall, Commission Chambers, Owensboro, Kentucky, and the proceedings were as follows:

MEMBERS PRESENT: Drew Kirkland, Chairman
Gary Noffsinger
Nick Cambron
Dave Appleby
Jimmy Gilles
Scott Jagoe
Sister Vivian Bowles
Judy Dixon
Dr. Mark Bothwell
Martin Hayden
Kevin P. Laumas,
Attorney

*****

CHAIRMAN: I would like to welcome everybody to our August 9th Planning & Zoning meeting. Our invocation tonight will be given by Mr. Nick Cambron.

(INVOCATION AND PLEDGE OF ALLEGIANCE.)

CHAIRMAN: Thank you. Our first order of business tonight will be the swearing in of our new member, Dr. Mark Bothwell.

(DR. MARK BOTHWELL SWORN IN.)

Ohio Valley Reporting
(270) 683-7383
CHAIRMAN: Mr. Kevin Laumas did our swearing in and sitting in tonight for Stewart Elliott, our regular attorney, who is out of town.

Our first order of business is to consider the July 12, 2001, minutes. Are there any questions, corrections, changes?

MR. NOFFSINGER: No.

MR. JAGOE: Move to approve.

CHAIRMAN: Motion for approval by Mr. Jagoe.

MR. HAYDEN: Second.

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.

Next item, Mr. Noffsinger.

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

PUBLIC HEARING

ITEM 2

Consider text amendments to the Sign Regulations regarding billboards, affecting Article 9 of the Zoning Ordinance for Daviess County and Whitesville. (POSTPONED)

MR. NOFFSINGER: Mr. Chairman, this item was postponed from the commission meeting in August, excuse me, July, and we do have a letter in the file...
from Judge-Executive Reid Haire asking that this item be withdrawn for consideration.

It is anticipated that this commission will consider amendments to the billboard regulations at our next meeting and it will be the second Thursday in September.

CHAIRMAN: This would not require any action on our behalf?

MR. NOFFSINGER: That is correct.

CHAIRMAN: Next item then.

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

PUBLIC FACILITIES PLANS
REVIEW FOR CONSISTENCY WITH COMPREHENSIVE PLAN

ITEM 3

1301 West Parrish Avenue
Building Construction
Consider comments regarding the construction of a storage building by the Owensboro Western Baseball League at the Moreland Park field.
Referred by: City of Owensboro

MR. NOFFSINGER: Mr. Chairman, this is for the construction of a storage building at Owen Park field. Planning Staff has reviewed the application. We find no conflict with the Comprehensive Plan and recommend you forward a letter to that affect to the City of Owensboro.

CHAIRMAN: Any questions or suggestions?

Anybody representing the applicant?
CHAIRMAN: Chair is ready for a motion.

MS. DIXON: Move for approval.

CHAIRMAN: Move for approval by Ms. Dixon.

MR. CAMBRON: Second.

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.

Next item, please.

ITEM 4

2208, 2218 Tamarack Road
Land Disposition
Consider comments regarding the sale of property to the East/West congregation of Jehovah's Witnesses.
Referred by: City of Owensboro

MR. NOFFSINGER: Mr. Chairman, the Planning Staff has reviewed this land disposition. We find no conflict with the Comprehensive Plan.

This is a piece of property that's located on Tamarack Road which I think was acquired by the City of Owensboro back a few years ago to construct a fire station on the property. The City of Owensboro has abandoned that proposal on this particular piece of property and they are looking to sell the property. I would remind the Jehovah's Witness congregation that should they acquire the property to make sure they
check the Deed of Dedication and the restrictive
covenants that may or may not cause a problem with
constructing use other than residential use of the
property. I do recommend you forward a letter of no
conflict to the City of Owensboro.

CHAIRMAN: Any questions? Anybody
representing the applicant?
(NO RESPONSE)
CHAIRMAN: If not -- sir, do you have any
comments to make? If not we'll vote on the issue.
Would you like to make a comment?

MR. PORTER: Yes, I would. My name is
Lonnie Porter and I represent one of the trustees.
(MR. PORTER SWORN BY ATTORNEY.)

MR. PORTER: I'm one of the trustees. The
only correction there is it will not be sold to the
east and west, but to the trustees of the West
Owensboro Congregation of Jehovah's Witnesses. I
wrote that in my letter. We do have two congregations
that will share that building, but it will be actually
be sold to the west congregation.

MR. NOFFSINGER: Sir, the application that
we prepared and what's on the agenda was prepared from
a letter to me from Bob Whitmer that states from the
East/West Congregation of Jehovah's Witnesses so
that's why it's on the agenda as it is, but we're not necessarily considering who the city would be selling the property to. Only the disposition of the land to someone.

Mr. Porter: Thank you very much.

Chairman: Mr. Porter, you'll need to clear that up with Bobby Whitmer.

Mr. Porter: Yes.

Chairman: You're satisfied with that?

Mr. Porter: Yes.

Mr. Appleby: Chair ready for a motion?

Chairman: Chair is ready for a motion, Mr. Appleby.

Mr. Appleby: Motion for a favorable approval.

Chairman: Motion for approval by Mr. Appleby.

Mr. Jagoe: Second.

Chairman: Second by Mr. Jagoe. All in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

Chairman: Motion carried unanimously.

Next item, please.
ITEM 5

3860 US 60 West
Building Construction
Consider comments regarding the construction of an
addition at the Green River Area Development District
office building
Referred by: Green River Area Development District

MR. NOFFSINGER: Mr. Chairman, Planning Staff has reviewed this request. We've reviewed the
Comprehensive Plan. We find no conflict with the
Comprehensive Plan and recommend you forward a letter
to that affect to the Green River Area Development

CHAIRMAN: Any questions?

(NO RESPONSE)

MR. CAMBRON: Is Chair ready for a motion?
CHAIRMAN: Chair is ready for a motion,

Mr. Cambron.

MR. CAMBRON: Motion for approval.
CHAIRMAN: Motion for approval by Mr.

Cambron.

MS. DIXON: Second.
CHAIRMAN: Second by Ms. Dixon. All in
favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.

Next item, please.

Ohio Valley Reporting
(270) 683-7383
ZONING CHANGES - COUNTY

ITEM 6

2984 Fairview Drive, 25.25+ acres
Consider zoning change: From I-1 Heavy industrial to R-1C Single-Family Residential
Applicant: Owensboro Master Builders, Inc., Violet G. Depp Estate c/o Robert R. Depp

(MS. BECKY WATSON SWORN BY ATTORNEY.)

MS. WATSON: My name is Becky Watson.

PLANNING STAFF RECOMMENDATIONS

Staff recommends approval because there have been major changes of a physical, social or economic nature that were not anticipated in the adopted Comprehensive Plan and those changes have substantially altered the basic character of the general vicinity. This recommendation is made subject to the condition and findings of fact that follow:

Condition:

In lieu of roadway improvements, the owner of the subject property shall dedicate right-of-way for Fairview Drive along the frontage of the parent tract to provide for a total right-of-way of 50 feet from the street centerline.

Findings of Fact:

1. The subject property is located in an Industrial Plan Area, where low-density residential
uses are not recommended;

2. The adopted Comprehensive Plan update now recognizes the extension of sanitary sewers in the vicinity of the subject property;

3. The availability of the sanitary sewers to the immediate vicinity has resulted in the creation of an urban residential growth area immediately adjacent to an Industrial Plan Area;

4. The subject property is immediately adjacent to this urban growth area and R-1C Single-Family Residential zoning and uses;

5. The proposed roadway connection to the existing urban growth area provides a basis for a logical expansion of the existing R-1C Single-Family Residential zone, improving residential neighborhood connectivity; and

6. Development patterns are respected by proposing the eastern portion of the property adjacent to the R-1C zoning to be rezoned to R-1C, while retaining the I-1 Heavy Industrial zoning along the property frontage in the Industrial Plan Area.

MS. WATSON: We'd like to enter this as Exhibit A.

(ITEM 6 - STAFF REPORT IS ATTACHED AND MADE A PART OF THE RECORD AT THIS TIME AS EXHIBIT A.)

Ohio Valley Reporting
(270) 683-7383
CHAIRMAN: Anybody representing the applicant?

MR. JONES: Yes.

CHAIRMAN: Mr. Jones, before we call you, let's see if we have any questions or anything before we have to swear you in.

Does anybody on the commission have any questions of Mr. Jones?

(NO RESPONSE)

CHAIRMAN: If we have no questions from the commission, does anybody from the audience have a question?

MR. LUDWIG: Yes.

CHAIRMAN: Please step forward and be sworn in.

(MR. PAUL LUDWID SWORN BY ATTORNEY.)

CHAIRMAN: State your name, please.

MR. LUDWID: Paul Ludwid.

MR. LUDWID: I'm a resident out there in that neighborhood or in the vicinity. I was just wondering, I know Mr. Jones is planning a lot of expansion out in that area. Have there been traffic studies done concerning what is the ultimate traffic flow that will result from the multiple expansions that he's planning and others are planning out there,
and how will that impact the neighborhood? I'm kind of new to the area, but it seems like I keep hearing about rain water run off. I'm assuming all of that is included in the overall master plan of this and wondering are there diagrams of this subdivision available.

CHAIRMAN: Is that the extent of your questions because I see he has his engineer?

MR. LUDWID: There looks like there's multiple things on there.

CHAIRMAN: Mr. Jones, with your permission I'll skip over you and bring your engineer forward.

(MR. RINEY SWORN BY ATTORNEY.)

CHAIRMAN: Mr. Riney, you understood his questions and what his concerns were?

MR. RINEY: Yes. The related item on the agenda, 6b, is the preliminary plat for the subdivision and I believe that's been reviewed by the staff and by the local engineer. That deals with the street patterns that layout for sanitary sewers, storm drain. As the commission is aware, developments within Daviess County, Owensboro-Daviess County are required to have storm water retention basins. This project ended up being split has two separate basins with two separate drainage areas that drift into the
respective separate basins. The items have been
looked at.

As far as the transportation, there was
not a specific transportation plan provided on this
project, but it is in conformance with the
transportation section of the zoning ordinance.

CHAIRMAN: Mr. Riney, isn't the run off
and the drainage retention plan, that's all reviewed
by the county engineer and specifications are set up
for each subdivision in regards to that; is that not
correct?

MR. RINEY: In this case it was by the
city engineer since it's going to be annexed. The
local engineer, engineering department reviews that
and we work with them to get the details finalized.

CHAIRMAN: Thank you. Do you have any
further?

MR. LUDWID: So there isn't any specific
transportation study being done for these subdivisions
according to the master plan or whatever?

CHAIRMAN: There is, but let me have, Mr.
Riney, with your permission I'll have Mr. Noffsinger
answer that question.

Mr. Noffsinger.

MR. NOFFSINGER: Thank you, Mr. Chairman.
During the study and review of the zoning change, we did seek the advice and services of the transportation planner of the Green River Area Development District, Mr. Keith Harpo, and we asked him to do an analysis of Fairview Drive to determine what if any improvements would be necessary. Mr. Harpo did a study on Fairview Drive to determine that the current level of service would be a level of service C which is an acceptable level of service. You have a level of service A which is the best level of service and I believe it goes down to a level of service F, which is unacceptable. So the level of service C as it currently function is acceptable.

Now, he looked into this development in terms of how much additional traffic on Fairview Drive would be brought on by the development and determined that this development each dwelling unit within the specific development that's proposed here tonight would have to generate 31 trip ends per day per house. Typically when we're doing a traffic model we use I believe ten trip ends per house per day. So it would take three times that many to anticipate or to bring it down to a level of service D which would be approaching the unacceptable level. So with this development we're at about a third. You can have
two-thirds more trip ends and be fine.

We have also taken a look in planning in terms of the street system and street network within that overall area and felt that a connection to Fairview Drive could facilitate traffic within the Lake Forest development and take some pressure off of Settles Road corridor which as we know is receiving congestion as development continues. We're also looking at an extension of Waterside Way through Lake Forest that would eventually go on through the Hennessee property and connect to 54. So, yes, there have been studies within that area, and particularly to this development and our transportation planners tell us that we will continue to move traffic at an acceptable level of service.

MR. LUDWID: The reason why I ask was because of the new what appears to be construction that's going on out there at the corner of 54 and Fairview Road. It appeared that there's going to be some expansion of that commercial property out there and that would be bring more people onto that intersection and bring people off of Fairview Road in addition to the housing subdivision. I just wanted to see what had been done for transportation consideration to that road.
MR. NOFFSINGER: One thing I didn't touch on and should. With that commercial development the developers are making improvements in terms of turning lane and roadway capacity on Kentucky 54 as well as the intersection at Fairview Drive and Kentucky 54. Fairview Drive is a state maintained route and it would be anticipated in the future that roadway would be improved and widened. I'm not sure exactly where it is in terms of transportation plan, but it's certainly not in the short range plan near term improvement plan. However, as a part of this development we have requested and the developer agreed to dedicate additional right-of-way for that improvement once it becomes warranted and is included in the transportation plan short range.

MR. LUDWID: I guess part of my concern was also the soccer field there and the fact that on weekends there's a significant amount of traffic there in conjunction with the new construction at the commercial business there on the corner of Fairview and 54 and having this also on there. I just want to make sure there's ample consideration taken for the kids safety and things. Thank you.

CHAIRMAN: Thank you.

Does anybody from the commission have any
MR. CAMBRON: Chair ready for a motion?
CHAIRMAN: Mr. Cambron, we are.
MR. CAMBRON: Make a recommendation for approval based upon on the Findings of Fact by the Staff 1 through 6 and subject to the condition, improvement to the roadway.
MR. HAYDEN: Second.
CHAIRMAN: We've got a motion for approval by Mr. Cambron and a second by Mr. Hayden. All in favor raise your right hand.
(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)
CHAIRMAN: Motion carries unanimously.
Next item, please.
Related Item:
ITEM 6A
Lake Forest, Phase II, revised lots 98-101, revised Basin "C", 3.00 acres
Consider approval of revised major subdivision preliminary plat.
Applicant: JMP/Lake Forest, Inc.
MR. NOFFSINGER: Mr. Chairman, this application has been reviewed by the Planning Staff. It's found to be in order. This amendment is necessary to reconstruct, resign a basin that was proposed for the lake Forest development so that a
street can be constructed to be stubbed to the Depp property and that street connection may so that this rezoning we just considered could move forward. With that it's ready for your consideration.

CHAIRMAN: Any questions by anybody on the commission?

(NO RESPONSE)

CHAIRMAN: I know the applicant is represented here. If we have no further questions Chair is ready for a motion.

MR. LUDWID: Again, Paul Ludwid. I haven't seen any of this information on the diagram or plat or anything. Is that available to be viewed?

MR. NOFFSINGER: Yes, sir, it is. In fact, I have a reduced version of the proposed development that will give you an idea conceptually how it's going to develop; however, --

MR. LUDWID: You mentioned that something about stub into the Depp property.

MR. NOFFSINGER: Yes, sir.

MR. LUDWID: I was wondering how that ties into the Lake Forest development and where that property is going in reference to I guess what was just considered, what you said.

MR. NOFFSINGER: The connection to the
MR. LUDWID: Yes, sir.

MR. NOFFSINGER: Yes. Those plans do show that connection.

MR. LUDWID: Where would that come out at?

MR. NOFFSINGER: It will come out just very near the abandoned railroad, if you're familiar with the abandon railroad right-of-way.

MR. LUDWID: Is that off of Waterside Way?

MR. NOFFSINGER: Yes, sir.

MR. LUDWID: And Waterside Way will continue to wear?

MR. NOFFSINGER: In the future, Waterside Way would continue through the Hennessee property and head toward Kentucky 54. Now, that is not being proposed at this time; however, that would be the future conceptual way out and what we would be looking for from a design and planning concept in order to have neighborhoods connect and to have our collector streets flow and have proper and good access to the developments. Then that street would eventually head to Kentucky 54.

MR. LUDWID: Is the rain water basin that's at the end of Waterside Way being reconstructed or being proposed to change at all?
MR. NOFFSINGER: Yes, sir.

MR. LUDWID: Can I see how that's going to be changed?

MR. JAGOE: It's not being used by this development, correct?

MR. APPLEBY: It's being reconstructed and there's also an additional basin adjacent.

MR. NOFFSINGER: Right. There will be three basins I believe in the Brooks development separate from the Lake Forest development. There is now one basin located in this area, the Lake Forest development, and that's the basin that -- there will still be one basin, but that basin would be redesigned, constructed to accommodate this connection.

MR. LUDWID: Those available to be viewed?

MR. NOFFSINGER: Yes, sir. Those plans are available in the planning office.

MR. LUDWID: So they're not here tonight then?

MR. NOFFSINGER: Yes, sir, they are here tonight. Mr. Chairman, --

MR. APPLEBY: He wants to look at this one he can have mine.

CHAIRMAN: If that concludes your
questioning we will proceed forward.

MR. LUDWID: I'm sure if it does or not to
tell you the truth.

CHAIRMAN: Could we ask you to move back
to the podium, please.

MR. LUDWID: So ultimately this new
reroute, removing of the retention plan gives an
entrance to Fairview Road onto Waterside Way then, if
that's what I'm looking at?

MR. NOFFSINGER: Yes, sir.

MR. LUDWID: Okay.

CHAIRMAN: Thank you.

Does anybody on the commission have any
questions?

(NO RESPONSE)

CHAIRMAN: The Chair is ready for a
motion.

MR. JAGOE: Move for approval.

MR. CAMBRON: Second.

CHAIRMAN: Motion for approval by Mr.
Jagoe. Second by Mr. Cambron. All in favor raise
your rights hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.

Next item, please.

Ohio Valley Reporting
(270) 683-7383
ITEM 6B

The Brooks, 31.84 acres
Consider approval of major subdivision preliminary
plat.
Applicant: Bill Jones, Owensboro Master Builders,
Inc.

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

CHAIRMAN: We know the applicant is
represented here.

Does any of the commissioners have any
questions of the applicant?

(NO RESPONSE)

CHAIRMAN: Does anybody else have any
questions of the applicant?

These plots and everything as they get
further along in the development they're available in
the office; correct, Gary?

MR. NOFFSINGER: Yes, sir.

CHAIRMAN: So any time you're welcome to
stop by the office and take a look at any of them.

MR. LUDWID: I'll try to be very brief.

CHAIRMAN: Okay.

MR. LUDWID: Does Item 6B tie into what is

now Lake Forest?
MR. NOFFSINGER: Yes, sir.

MR. LUDWID: Where would that tie in at?

MR. NOFFSINGER: That's on the plan you just reviewed.

MR. LUDWID: Oh, I thought I was reviewing Fairview Drive Item 6.

MR. NOFFSINGER: Well, we were just on 6A and we've moved to 6B, but 6A was -- that's the Lake Forest portion of the plan that provides the connection to this property. Then 6B would be the continuation from Lake Forest to Fairview Drive.

MR. LUDWID: Okay. All right. Thank you.

CHAIRMAN: All right. If there's no more questions from the audience, the applicant or the commission, the Chair is ready for a motion.

MR. APPLEBY: Motion for approval.

CHAIRMAN: Motion for approval by Mr. Appleby.

MR. JAGOE: Second.

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.

Next item.
ITEM 7

6200 KY 54, 0.68 acres
Consider zoning change: From I-1 Light Industrial to B-4 General Business
Applicant: Donnie Howard, Francis and Vivian Roby

PLANNING STAFF RECOMMENDATIONS

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

Conditions:

1. A final development plan must be submitted and approved by OMPC if multiple uses are proposed on the subject property.

2. All vehicular use areas must be paved and landscaped with a 3-foot high continuous planting, hedge, fence or wall where vehicular use areas adjoin street right-of-way.

3. Access points shall be in conformance with the adopted street access standards, restricted to no more than 40% of the street frontage.

Findings of Fact:

1. The subject property is located in a Rural Community Plan Area, where general business uses are appropriate in limited locations;

2. The subject property is situated in the rural Ohio Valley Reporting (270) 683-7383
1 community of Philpot on a major street;
2 3. The subject property is contiguous to B-4
3 General Business zones and uses;
4 4. A portion of the property is currently being
5 used for General Business activities; and,
6 5. The applicant's proposal is a logical
7 expansion of existing B-4 General Business zoning to
8 the north across KY 54 because it would not
9 significantly increase the B-4 General Business zoning
10 in the vicinity and would not overburden the capacity
11 of roadways or other urban services available in the
12 affected area.
13 MS. WATSON: We would like to enter this
14 as Exhibit B.
15 (ITEM 7 - STAFF REPORT IS ATTACHED AND
16 MADE A PART OF THE RECORD AT THIS TIME AS EXHIBIT B.)
17 CHAIRMAN: Is somebody here representing
18 the applicant?
19 (NO RESPONSE)
20 CHAIRMAN: Does anybody on the commission
21 have any questions?
22 (NO RESPONSE)
23 CHAIRMAN: If there are no questions, the
24 Chair is ready for a recommendation.
25 MR. HAYDEN: Motion for approval for
Conditions 1 through 3 and Findings of Fact 1 through 5.

CHAIRMAN: Motion for approval by Mr. Hayden.

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 8

10124 KY 258, 12.00 acres
Consider zoning change: From A-U Urban Agriculture to A-R Rural Agriculture
Applicant: Leslie L and Lauran R. Gossett

PLANNING STAFF RECOMMENDATIONS

Staff recommends approval because the current zoning is inappropriate and the proposed zoning is more appropriate. Findings of fact that support this recommendation are as follow:

Findings of Fact:

1. The subject property is located in a Rural Community Plan Area, where rural large-lot residential uses are generally not recommended;

2. The property is contiguous to rural agricultural land in use as crop land;

Ohio Valley Reporting
(270) 683-7383
3. The property contains prime agricultural land; and,

4. The current zoning is inappropriate and the proposed zoning is more appropriate, because the development patterns in the area contain scattered rural large-lot residential uses and farmland and the historical and current use in the immediate vicinity is Rural Agricultural.

MS. WATSON: Would enter this as Exhibit C.

ITEM 8 - STAFF REPORT IS ATTACHED AND MADE A PART OF THE RECORD AT THIS TIME AS EXHIBIT C.)

CHAIRMAN: Anybody here representing the applicant?

MR. GOSSETT: Yes.

CHAIRMAN: Let's see if we have any questions and if we do we'll call you to the podium if that's okay.

Anybody on the commission have any questions?

(NO RESPONSE)

CHAIRMAN: Do you have any comments you'd like to make?

MR. GOSSETT: No, sir.

CHAIRMAN: The Chair is ready for a
MR. CAMBRON: Motion for approval based on Findings of Fact 1 through 4, Mr. Chairman.

CHAIRMAN: Motion for approval by Mr. Cambron.

MS. DIXON: Second.

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.

Next item, please.

ITEM 9

4715 Sutherland Road (Portion of 4617 Sutherland Road), 1.093 acres (POSTPONED)
Consider zoning change: From A-R Rural Agriculture to B-4 General Business
Applicant: Jim Hawkins, Stephen E. and Christine M. Aull

MR. NOFFSINGER: Mr. Chairman, Item Number 9, 4715 Sutherland Road, was postponed from the last meeting. We have a letter in the file from the applicant asking that we postpone once again until the September meeting. This commission will have to take action on the item at their next meeting on the second Thursday in September.

CHAIRMAN: Do we need a motion for postponement?
MR. NOFFSINGER: Yes, sir.

MS. DIXON: Move to postpone.

CHAIRMAN: Motion for postponement by Ms. Dixon.

MR. GILLES: Second.

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.

Next item, please.

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

MAJOR SUBDIVISION

ITEM 10

Woodland Ridge, Lots 1-30, 18.718 acres
Consider approval of major subdivision final plat.
Applicant: Terry Dukes c/o Audubon Loans, Inc.

MR. NOFFSINGER: Mr. Chairman, this application is found to be in order by the Planning Staff. It's been reviewed and approved by the Engineering Staff and it's ready for your consideration.

CHAIRMAN: Anybody here representing the applicant?

(NO RESPONSE)

CHAIRMAN: Does anybody on the commission have any questions of the applicant?
CHAIRMAN: If there are no questions, - -

MS. DIXON: Move for approval.

CHAIRMAN: Motion for approval by Ms. Dixon.

MR. GILLES: Second.

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.

Next item, please.

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

SURETY RELEASES

ITEM 11

Enterprise Rent-A-Car, $7,479
Consider release of surety (Certified Check) for landscaping.
Surety posted by: Enterprise Rent-A-Car

ITEM 12

Remington Park, $16,060
Consider release of surety (Irrevocable Letter of Credit) for storm sewers and drainage.
Surety posted by: Hayden Park Development

ITEM 13

Remington Park, $21,373
Consider partial release of surety (Irrevocable Letter of Credit) for streets.
Surety retained (Irrevocable Letter of Credit): $10,928
Surety posted by: Hayden Park Development

Ohio Valley Reporting
(270) 683-7383
ITEM 14
Remington Park, $5,036
Consider release of surety (Irrevocable Letter of Credit) for water mains and fire hydrants.
Surety posted by: Hayden Park Development

MR. NOFFSINGER: Mr. Chairman, under Surety Releases Items 11 through 14 are in order and may be released in toto.

CHAIRMAN: The Chair is ready for a motion.

MS. DIXON: Move to approve.

MR. CHAIRMAN: Motion for approval for Items 11 through 14.

MR. HAYDEN: Second.

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.

SURETY TRANSFERS

ITEM 15
Belmont At The Downs, Unit #3, $83,063
Transfer of surety (Irrevocable Letter of Credit) for streets, sidewalks and storm sewers to the Daviess County Fiscal Court.
Surety posted by: Thompson Homes, Inc.

Ohio Valley Reporting
(270) 683-7383
ITEM 16

H&I Development, Unit #3, $13,578.90
Transfer of surety (Irrevocable Letter of Credit) for streets and sanitary sewers to the Daviess County Fiscal Court.
Surety posted by: H&I Development

MR. NOFFSINGER: Under Surety Transfers Items 15 and 16 are in order and may be approved in toto.

CHAIRMAN: Chair is ready for a motion.

MS. DIXON: Move to approve.

MR. CAMBRON: Second.

CHAIRMAN: Motion for approval by Ms. Dixon and second by Mr. Cambron. All in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.

Next item, please.

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

NEW BUSINESS

ITEM 17

561 Worthington Road
Public Facilities Review
Land Acquisition
Consider comments regarding the acquisition of property for the construction of a retention basin in conjunction with the storm water master plan for Gilles Ditch water shed.
Referred by: Daviess County Fiscal Court

MR. NOFFSINGER: Mr. Chairman, the

Ohio Valley Reporting
(270) 683-7383
Planning Staff has reviewed the Comprehensive Plan.

We have reviewed the storm water master plan for
Owensboro and Daviess County and find no conflict with
this proposal with these plans. Would recommend you
forward a letter to that affect for the Daviess County
Fiscal Court.

CHAIRMAN: Chair is ready for a motion.

MR. CAMBRON: Motion for approval.

CHAIRMAN: Motion for approval by Mr. Cambron.

MS. DIXON: Second.

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.

Next item.

ITEM 18

Consider authorization of Nick Cambron as
Vice-Chairman to sign OMPC checks.

CHAIRMAN: Chair is ready for a motion.

MR. APPLEBY: Motion for approval.

CHAIRMAN: Motion for approval by Mr. Appleby.

MR. JAGOE: Second.

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.

We are ready for one more motion.

MR. BOTHWELL: Motion to adjourn.

MS. DIXON: Second.

CHAIRMAN: Second by Ms. Dixon. 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 33 typewritten pages; and that no signature was requested to the foregoing transcript.

WITNESS my hand and notarial seal on this the 21st day of August, 2001.

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

COMMISSION EXPIRES:
DECEMBER 19, 2002

COUNTY OF RESIDENCE:
DAVIESS COUNTY, KENTUCKY

Ohio Valley Reporting
(270) 683-7383