

1 OWENSBORO METROPOLITAN PLANNING COMMISSION

2 MAY 12, 2022

3 The Owensboro Metropolitan Planning Commission
4 met in regular session at 5:30 p.m. on Thursday, May
5 12, 2022, at City Hall, Commission Chambers,
6 Owensboro, Kentucky, and the proceedings were as
7 follows:

- 8 MEMBERS PRESENT: Lewis Jean, Chairman
- 9 Skyler Stewart, Secretary
- 10 Brian Howard, Director
- 11 Terra Knight, Attorney
- 12 Jason Gasser
- 13 Manuel Ball
- 14 Irvin Rogers
- 15 Jay Velotta
- 16 Greg Raque
- 17 Angela Hardaway

18 * * * * *

19 CHAIRMAN: The May 12, 2022 Owensboro
20 Metropolitan Planning Commission is called to order.
21 The first order of business is the prayer and the
22 pledge. Commissioner Velotta will lead us in that
23 this evening.

24 (INVOCATION AND PLEDGE OF ALLEGIANCE.)

25 CHAIRMAN: I will give a little explanation of
how we do this. Anybody wishing to speak for or
against an issue, just come to the podium and be sworn
in by our counsel. All questions are directed to the
chair. Stay on topic. Be respectful. Anybody who

1 wants to speak will have an opportunity.

2 The first item is the minutes of the last
3 meeting. All the commissioners should have received a
4 copy. I'll accept a motion.

5 MR. VELOTTA: Motion to approve.

6 CHAIRMAN: Motion by Commissioner Velotta.

7 MR. RAQUE: Second.

8 CHAIRMAN: Second by Commissioner Raque. Any
9 question on the motion?

10 (NO RESPONSE)

11 CHAIRMAN: All in favor signify by raising
12 your right hand.

13 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

14 CHAIRMAN: Motion carries.

15 MR. HOWARD: Under General Business next, we
16 have Zoning Changes. I will note that the Zoning
17 Changes heard tonight will become final in 21 days
18 after the meeting unless an appeal is filed. If an
19 appeal is filed, we will forward the record of this
20 meeting along with all applicable material to the
21 appropriate legislative body for them to take final
22 action.

23 -----

24 GENERAL BUSINESS

25 ZONING CHANGES

1 ITEM 3

2 Portion of 7707 Knottsville Mount Zion Road, 0.779
3 acres

4 Consider zoning change: From I-1 Light Industrial to
5 A-R Rural Agriculture

6 Applicant: Vincent Nealen; Rose Nealen

7 MS. KNIGHT: State your name for the record.

8 MS. EVANS: Melissa Evans.

9 (MELISSA EVANS SWORN BY ATTORNEY.)

10 PLANNING STAFF RECOMMENDATION

11 The Planning Staff recommends approval subject
12 to the Findings of Fact that follow:

13 FINDINGS OF FACT:

14 1. Staff recommends approval because the
15 proposal is in compliance with the community's adopted
16 Comprehensive Plan;

17 2. The subject property is located in a Rural
18 Preference Plan Area, where rural small-lot
19 residential uses are appropriate in very limited
20 locations;

21 3. The subject property has frontage along a
22 public road, Knottsville Mount Zion Road;

23 4. The subject property, in its entirety, is
24 2.88-acres in size, large enough to assure
25 satisfactory operation of a conventional septic tank
26 systems;

27 5. The proposed A-R Rural Agriculture zoning

1 classification is a logical expansion of the existing
2 A-R zone located to the north, south, east, and west;
3 including existing A-R zoning already located on the
4 subject property;

5 6. The proposed A-R Rural Agriculture zone
6 will eliminate the split zoning on the subject
7 property; and,

8 7. At 0.779-acres, the expansion of the A-R
9 Rural Agriculture zone shall not overburden the
10 capacity of roadways and other necessary urban
11 services that are available in the affected area.

12 MS. EVANS: We would like to enter the Staff
13 Report into the record as Exhibit A.

14 CHAIRMAN: Thank you, Melissa.

15 Is anybody here representing the applicant?

16 Would you like to speak or just answer
17 questions?

18 APPLICANT REP: I think we're good.

19 CHAIRMAN: Anybody else that like to speak?

20 (NO RESPONSE)

21 CHAIRMAN: Any commissioners have any
22 questions?

23 (NO RESPONSE)

24 CHAIRMAN: Hearing none I'll call for a
25 motion.

1 Commissioner Ball.

2 MR. BALL: I'd like to make a motion to
3 approve based on the Planning Staff Recommendations
4 and Findings of Fact 1 through 7.

5 CHAIRMAN: We have a motion. Do we have a
6 second?

7 MS. STEWART: Second.

8 CHAIRMAN: Second by Commissioner Stewart.
9 Any questions on the motion?

10 (NO RESPONSE)

11 CHAIRMAN: All in favor signify by raising
12 your right hand.

13 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

14 CHAIRMAN: Motion carries.

15 ITEM 4

16 Portion of 2306 Highway 81, 8.980 acres
17 Consider zoning change: From A-R Rural Agriculture to
18 I-1 Light Industrial
19 Applicant: Crabtree Holdings, LLC

20 PLANNING STAFF RECOMMENDATIONS

21 The Planning Staff recommends approval subject
22 to the Conditions and Findings of Fact that follow:

23 CONDITIONS:

24 1. Obtain approval of a Minor Subdivision
25 Plat dividing the subject area from the farm remainder
in order to eliminate any created split-zoning; and,

1 2. Direct access to Highway 81 from both, the
2 subject area as well as the farm remainder, shall be
3 limited to a single access point.

4 FINDINGS OF FACT:

5 1. Staff recommends approval because the
6 proposal is in compliance with the community's adopted
7 Comprehensive Plan;

8 2. The subject property is located in a Rural
9 Preference Plan Area, where light industrial uses are
10 appropriate in limited locations;

11 3. At 8.980 acres, the proposed use, light
12 industrial, conforms to the criteria for both,
13 Nonresidential Development and Buffers for Outdoor
14 Storage Yards;

15 4. The proposal is a logical expansion of the
16 I-1 Light Industrial zoning to the south; and,

17 5. At 8.980 acres, the proposed I-1 Light
18 Industrial zoning will not significantly increase the
19 extent of industrial uses that are located in the
20 vicinity nor will the proposal overburden the capacity
21 of roadways and other necessary urban services that
22 are available in the affected area.

23 MS. EVANS: We would like to enter the Staff
24 Report into the record as Exhibit B.

25 CHAIRMAN: Thank you, Melissa.

1 Is there anybody here representing the
2 applicant?

3 (NO RESPONSE)

4 CHAIRMAN: Do any of the commissioners have a
5 question?

6 (NO RESPONSE)

7 CHAIRMAN: Hearing none I will accept a
8 motion.

9 Commissioner Rogers.

10 MR. ROGERS: Mr. Chairman, I would like to
11 make a motion for approval based on the Planning Staff
12 Recommendations with Conditions 1 and 2 and Findings
13 of Fact 1 through 5.

14 CHAIRMAN: We have a motion. Do we have a
15 second?

16 MR. VELOTTA: Second.

17 CHAIRMAN: Second by Commissioner Velotta.
18 Any questions on the motion?

19 (NO RESPONSE)

20 CHAIRMAN: All in favor signify by raising
21 your right hand.

22 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

23 CHAIRMAN: Motion carries.

24 ITEM 5

25 Portion of 1520 Highway 603, 0.645 acres
Consider zoning change: From I-1 Light Industrial to

1 B-4 General Business
Applicant: Hayson, LLC

2

3 PLANNING STAFF RECOMMENDATION

4 The Planning Staff recommends approval subject
5 to the Conditions and Findings of Fact that follow:

6 CONDITIONS:

7 1. Approval of a Final Development Plan;

8 2. Direct access to Highway 603 shall be
9 limited to a single access point, as illustrated
10 within the approved Traffic Impact Study, unless an
11 updated Traffic Impact Study allowing additional
12 access points is approved; otherwise, all additional
13 access points shall be limited to Pleasant Valley
14 Road; and,

15 3. Prior to the issuance of a Certificate of
16 Occupancy for any use, the property shall be recorded
17 on an approved Major Subdivision Final Plat.

18 FINDINGS OF FACT:

19 1. Staff recommends approval because the
20 Proposal is in compliance with the community's adopted
21 Comprehensive Plan;

22 2. The subject property is located within a
23 Business Plan Area where General Business Uses are
24 appropriate in limited locations;

25 3. The intended general business use conforms

1 to the criteria for nonresidential development and any
2 outdoor storage areas shall conform to the criteria
3 associated with buffers for outdoor storage yards;

4 4. The proposed B-4 General Business zoning
5 is an existing zoning located on the subject property,
6 and is also a logical expansion of the B-4 zoning to
7 the north, south and east;

8 5. At 0.645-acres, the proposal will not
9 significantly increase the extent of the B-4 General
10 Business zoning in the immediate vicinity; and,

11 6. Compliance with the previously approved
12 Traffic Impact Study ensures that the proposal should
13 not overburden the capacity of roadways and other
14 necessary urban services that are available in the
15 affected area.

16 MS. EVANS: We would like to enter the Staff
17 Report into the record as Exhibit C.

18 CHAIRMAN: Thank you, Melissa.

19 Is there anybody representing the applicant?

20 MR. RAY: Mr. Chairman, Ed Ray, counsel to the
21 applicant.

22 MS. KNIGHT: Mr. Ray, you're sworn as an
23 attorney.

24 MR. RAY: I'm here to answer any questions you
25 may have about Items 5, 5-A and 5-B.

1 CHAIRMAN: Does anybody else have any
2 questions?

3 MR. GORDON: Garrett Gordon representing RWRA.
4 Just want to make the applicant very aware that we do
5 operate a sewer treatment plant directly to the west
6 and with that there is the occasional odor that may
7 blow across the site and cause a little bit of a
8 stink.

9 (GARRETT GORDON SWORN BY ATTORNEY.)

10 CHAIRMAN: Thank you.

11 Mr. Ray.

12 MR. RAY: Just response to RWRA's position on
13 that. It will also be, of course, as the various
14 entities I represent the owner of the property all the
15 way around the treatment plant. You know, we are on
16 the understanding that as technology changes, as
17 conditions change, that RWRA on behalf of the entire
18 community continues to look at those types of things
19 they can mitigate; the smell and any discharge from
20 the plant. We understand that that's an ongoing
21 process already. Unless something has changed, we
22 would certainly like to be informed about that. We
23 assume that progress will continue to be made as time
24 progresses. We are aware of the location of the
25 plant.

1 CHAIRMAN: Thank you.

2 Anybody else?

3 (NO RESPONSE)

4 CHAIRMAN: Any commissioners have any
5 questions?

6 (NO RESPONSE)

7 CHAIRMAN: Hearing none I will accept a
8 motion.

9 Commissioner Hardaway.

10 MS. HARDAWAY: I make a motion to approve
11 based off of the Planning Staff Recommendations with
12 Conditions 1 and 3 and Findings of Fact 1 through 6.

13 CHAIRMAN: We have a motion. Do we have a
14 second?

15 MR. RAY: I just want to make sure I
16 understood the motion. That's with Conditions 1 and 3
17 or 1 through 3?

18 MS. HARDAWAY: 1 through 3.

19 MR. RAY: Okay. Thank you.

20 MS. STEWART: Second.

21 CHAIRMAN: Second by Commissioner Stewart.

22 Any questions on the motion?

23 (NO RESPONSE)

24 CHAIRMAN: Hearing none at this time all in
25 favor signify by raising your right hand.

1 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

2 CHAIRMAN: Motion carries.

3 RELATED ITEM

4 ITEM 5A

5 Portion of 1520 Highway 603, 4.320 acres
6 Consider request for a Conditional Use Permit in order
7 to construct and operate an individual storage
8 facility in a B-4 General Business zoning
9 classification.
10 Applicant: Hayson, LLC

11 MS. EVANS: This application is obviously a
12 related application to the rezoning that you just
13 heard. Conditionally permitted or individual storage
14 facilities are conditionally permitted in the county
15 only within the B-4 zone.

16 This storage facility is going to operate on
17 only a portion of the property there at 1520 Highway
18 603. If approved, the requested operations shall be
19 limited strictly to the land that is shown on the
20 submitted site plan, and any expansions beyond that
21 property shown shall require a new conditional use
22 permit submitted to the OMBA.

23 The site plan illustrates that, once final
24 platted, the property will be 4.32 acre tract of land
25 located along Pleasant Valley Road. It is located
within a development along Highway 603 that has an
approved Traffic Impact Study and an approved

1 Preliminary Plat. Development of the subject property
2 shall maintain compliance with all documents as
3 mentioned and shall be final platted prior to the
4 issuance of a certificate of occupancy for the
5 property.

6 Individual storage facilities that are
7 Conditionally Permitted within a B-4 zone in the
8 county has several conditions that are associated with
9 them that are listed there on your Staff Report.

10 The submitted Conditional Use Permit Site Plan
11 illustrates compliance with all of those items.

12 The final development plan to determine
13 compliance with other zoning regulations and the ones
14 listed here on your Staff Report will be required to
15 be submitted and approved before any permits are
16 issued for construction.

17 It should also be noted that the applicant has
18 also submitted a Variance application requesting the
19 elimination of required interior landscaping for this
20 facility. Should this conditional use permit be
21 approved, the requested variance will be heard as a
22 related item also.

23 LAND USES IN SURROUNDING AREA

24 Zoning in the immediate vicinity includes B-4
25 General Business zoning to the north (across Highway

1 603) and to the east (across Pleasant Valley Road).
2 Most of which is undeveloped land with the exception
3 of the assisted living facility located across
4 Pleasant Valley Road. To the south and west is I-1
5 Light Industrial zoning which includes undeveloped
6 lands and the RWRA facility.

7 As far as Zoning Ordinance requirements, there
8 is no parking required for individual storage
9 facilities; however, the OMPC made choose to require
10 parking spaces if deemed necessary.

11 Landscaping - Where the vehicular use area
12 adjoins Pleasant Valley Road, a 3-foot wide
13 landscaping easement with a 3-foot tall continuous
14 element and 1 tree every 40-linear-feet shall be
15 required. The submitted site plan show an appropriate
16 landscaping element where the vehicular use area
17 adjoins the roadway.

18 Because the property does not adjoin any
19 agricultural, residential, or professional zoning, no
20 additional screening elements are required by the
21 ordinance; however, the OMPC may choose to require
22 additional elements if deemed necessary.

23 Lastly, for properties located within the
24 Urban Service Area (such as this property), the zoning
25 ordinance requires interior landscaping whenever the

1 vehicular use area exceeds 30,000 square feet in size.
2 The site plan illustrates the intent to develop 74,961
3 square feet of vehicular use area, requiring interior
4 landscaping elements to be installed. However, as
5 previously stated, the applicant has requested a
6 variance to eliminate the required interior
7 landscaping, which shall be heard as a separate item
8 if the conditional use requested is approved.

9 SPECIAL CONDITIONS

10 If the application is approved:

- 11 1. Obtain approval of a Final Development
12 Plan;
- 13 2. Prior to issuance of a Certificate of
14 Occupancy for any use, the property shall be recorded
15 as an approved Major Subdivision Final Plat; and,
- 16 3. Obtain all necessary building, electrical
17 and HVAC permits, inspections and certificates of
18 occupancy and compliance.

19 We would like to enter the Staff Report into
20 the record as Exhibit C.

21 CHAIRMAN: Thank you, Melissa.

22 Is there anybody here representing the
23 applicant?

24 MR. RAY: Again, Mr. Chairman, Ed Ray on
25 behalf of the applicant.

1 CHAIRMAN: Does anybody have any questions of
2 Mr. Ray?

3 Melissa.

4 MS. EVANS: I do not have a question of
5 Mr. Ray.

6 Additionally, we did hear from one adjoining
7 property owner that has submitted an e-mail to our
8 office. They were not able to attend the meeting
9 tonight, but they did submit an e-mail to our office
10 that they would like read into the record that has
11 been distributed to our Planning Commission members
12 and given to the court reporter to put into the record
13 as well, and I have copies for the applicant as well.

14 This e-mail from Nick Dwyer. He is with Dover
15 Development and they are the developers of the
16 assisted living facility that is located across
17 Pleasant Valley Road called Cedarhurst, I believe.

18 "Melissa, Per our conversation over the phone,
19 Cedarhurst of Owensboro Real Estate, as a neighboring
20 property of the above-mentioned applicant, would ask
21 the Planning Commission to consider adding an exterior
22 landscaping requirement as a condition of approval of
23 the Conditional Use Permit filed by the applicant,
24 Hayson, LLC. Cedarhurst has made considerable
25 investment along the Pleasant Valley Road corridor,

1 both in public improvements and our assisted living
2 and memory care facility. We would ask that an
3 exterior landscaping buffer be required on the eastern
4 side of the proposed storage facility to provide a
5 buffer between the storage units and our senior living
6 facility, which has private exterior patios facing the
7 proposed storage facility. Without a landscape
8 buffer, this could end up being a huge eyesore for
9 many of our senior residents."

10 They included the attached drawing that you
11 see on your screen there as part of their e-mail as
12 well.

13 CHAIRMAN: Thank you, Melissa.

14 Mr. Ray, would you like to respond to that?

15 MR. RAY: I think I would just note, one,
16 certainly it would be the plan for the development to
17 meet any exterior requirements that the code has.

18 I would say, two, the fact that they did build
19 right next to a sewage treatment plant and what comes
20 in and out of there on a regular basis and the fact
21 that it's also next to industrial property kind of
22 foreshadowed what types of things may go up around
23 that.

24 I will say there is not, in most of the other
25 locations around the community, exterior landscaping

1 and most of those are in residential areas where there
2 is residents looking at that facility. I would
3 suggest that we certainly will meet any of the code
4 requirements and there will be a decorative
5 landscaping barrier between the development and what
6 is on Pleasant Valley Road to kind of screen off that
7 area as required by as a condition of the application;
8 subject to any questions anyone might have.

9 CHAIRMAN: Thank you.

10 Do any commissioners have any questions?

11 Commissioner Ball.

12 MR. BALL: This property, this storage
13 facility is not necessarily encompassing that entire
14 area which was already stated. Are there any plans
15 for anything else on the property in the future that
16 would potentially accommodate for the screening that
17 they are requesting? What other types of structures
18 do you anticipate there in the future I guess is my
19 question?

20 MR. RAY: I would say is what we could get in
21 a B-4 zone to develop an economic development of that
22 particular corridor. You know, same with the property
23 owner that sold to Cedarhurst, they have the property
24 immediately behind there. And I'm sure if they
25 develop that property, it would be in compliance with

1 any code requirements also.

2 It is a prime location for various retail
3 offices. Whatever would be acceptable in a B-4 zone
4 on a very heavily traffic area.

5 I might note that if you are sitting out there
6 on that side of the Cedarhurst development, what
7 you're looking at is constant truck traffic is
8 basically your front door there. If you're looking
9 out to the -- that's to the north. If you're looking
10 out to the east, you have the same traffic. If you're
11 looking out to the south, you've got 60 traffic which
12 is, you know, I think significant denoting that the
13 stationary building that will brand new with the
14 landscaping barrier on Pleasant Valley Road in
15 accordance with the code would be sufficient and
16 certainly we believe very complimentary to senior
17 living facility to have storage that is literally
18 within walking distance; especially as maybe some of
19 the seniors get to the point where driving isn't
20 something they do on a regular basis. They do have
21 possessions, they do have things that they need to put
22 in storage based on our experience with other places.
23 We think it's a very complimentary use. I hope that
24 as the development continues, that there's other
25 complimentary uses, whether it be coffee shops or

1 businesses or something else that they could frequent.
2 Hopefully that answers your question.

3 MR. BALL: Well, I don't know that I asked it
4 very well, Ed, just to be honest.

5 Is it possible or plausible that other
6 buildings or structures will obstruct the view of this
7 in the future from Cedarhurst?

8 MR. RAY: I would think so. You know, it all
9 depends on what patio you're sitting at. I would
10 suggest if that was my concern and I wanted to make
11 that a tranquil space, that a landscaping barrier
12 would be something I would put in as a developer of
13 Cedarhurst to block off the truck traffic and farm
14 traffic and dust the and the smell that comes from the
15 sewage plant and the farmer's dust and everything
16 else. If I was them and I was concerned about that, I
17 think I would put that on my property and that would
18 encompass literally 75 percent of their border that
19 has that type of a view.

20 MR. BALL: Thank you.

21 CHAIRMAN: Any other commissioners have any
22 questions?

23 (NO RESPONSE)

24 CHAIRMAN: Hearing none at this time I will
25 accept a motion.

1 Commissioners Rogers.

2 MR. ROGERS: Mr. Chairman, I make a motion for
3 approval of the Conditional Use Permit for the
4 individual storage facility with Conditions 1, 2 and
5 3.

6 MS. KNIGHT: There is some findings of fact of
7 why it should be approved. Things like it's
8 conditionally permitted in a B-4 zone.

9 MR. ROGERS: The proposed individual storage
10 facility will integrate well into the area because
11 storage facilities are industrial in nature and the
12 property adjoins industrial zoning. 2) the proposed
13 will not overburden the capacity of roadways in the
14 area because storage facilities are generally low
15 traffic generators which was a point of interest
16 within the rezoning of this property. And will also
17 install additional screening elements.

18 The development will not cause a nuisance to
19 the adjoining neighborhood because the development
20 will comply with all zoning ordinance requirements
21 that are specified to individual storage facilities.

22 MS. KNIGHT: The screening, are you talking
23 about the ones required, shown on their plan or are
24 you talking about the ones that are requested by the
25 neighbors?

1 MR. ROGERS: No. The ones required on the
2 plan.

3 CHAIRMAN: Does everybody understand the
4 motion?

5 Do we have a second?

6 MR. BALL: Second.

7 CHAIRMAN: Second by Commissioner Ball. Any
8 questions on the motion?

9 (NO RESPONSE)

10 CHAIRMAN: All in favor signify by raising
11 your right hand.

12 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

13 CHAIRMAN: Motion carries.

14 ITEM 5B

15 Portion of 1520 Highway 603, 4.320 acres
16 Consider request for a Variance in order to eliminate
17 the required interior landscaping associated with the
18 proposed individual storage facility.
19 Applicant: Hayson, LLC

20 MS. EVANS: In conjunction with the just
21 approved Conditional Use Permit, the applicant has
22 also requested to eliminate the required interior
23 landscaping associated with the proposed use as
24 mentioned previously.

25 It should be made very clear that the proposed
elimination of interior landscaping is only for the
4.32 acres defined within the site plan and

1 corresponding to the Conditional Use Permit. This
2 requested variance does not include any additional
3 portions of 1520 Highway 603.

4 The requirement for interior landscaping at
5 the subject property for individual storage facilities
6 is a very unique situation. Interior landscaping is
7 only required if the property is within the Urban
8 Service Area. If it is zoned Multi-Family P-1
9 Professional/Service, or any of the business zones,
10 and if the vehicular use area is over 30,000 square
11 feet in size.

12 So this is a unique situation because
13 typically individual storage unit facilities are
14 located in an I-1 zoning classification where interior
15 landscaping is not required by ordinance. So because
16 this is a B-4 zone and they requested a Conditional
17 Use Permit, that kicks that interior landscaping into
18 play. Most of the time -- we haven't really seen many
19 of these because most of the time there is not that
20 much interior or there's not that much vehicular use
21 area associated with an individual storage facility in
22 this situation. It's a little bit larger so there is
23 that added vehicular use area where which would
24 require interior landscaping.

25 Granting the proposed variance will not

1 adversely affect the public safety and will not allow
2 an unreasonable circumvention of the requirements of
3 the zoning regulations because interior landscaping is
4 very rarely required for individual storage
5 facilities.

6 Additionally, granting the proposed variance
7 will not cause a public nuisance because the property
8 is adjoined by industrial zoning where such
9 improvements are not required; and it will not alter
10 the essential character of the general vicinity
11 because the proposal is only for the described portion
12 of 1520 Highway 603 and not the entirety of 1520
13 Highway 603.

14 Staff would recommend approval of this
15 variance request with the following conditions:

16 1. The variance is only for the 4.32 acre
17 portion of 1520 Highway 603 as shown on the submitted
18 variance site plan;

19 2. The variance is only for the intended use
20 of an individual storage facility and its accessory
21 uses. Should any other uses develop within the 4.32
22 acre property in lieu of the proposed storage
23 facility, the development shall comply with the zoning
24 ordinance requirements for interior landscaping
25 elements;

1 3. Obtain a Final Development Plan; and,
2 4. Obtain all necessary building, electrical
3 and HVAC permits, inspections and certificates of
4 occupancy and compliance. Prior to the issuance of a
5 Certificate of Occupancy for any use, the property
6 shall be recorded as an approved major subdivision
7 Final Plat.

8 We would like to enter the Staff Report into
9 the record as Exhibit E.

10 CHAIRMAN: Thank you, Melissa.

11 Is there anybody here representing the
12 applicant that would like to speak?

13 MR. RAY: Ed Ray again on behalf of the
14 applicant. If there are any questions, will be happy
15 to answer those.

16 CHAIRMAN: Do any of the commissioners have
17 any questions?

18 MR. RAQUE: Mr. Ray, just to clarify. Is the
19 Conditional Use Permit, the storage facility is going
20 to have 8-foot walls around all other sides except
21 what is under the conditional use permit. Am I
22 understanding that correct?

23 MR. RAY: It will have a fenced-in exterior,
24 yes.

25 MR. RAQUE: Fence or wall?

1 MR. RAY: It will be a fenced area.

2 MR. RAQUE: Fenced area.

3 MR. RAY: Yes, sir.

4 MR. RAQUE: Then landscaping to the front.

5 MR. RAY: Landscaping to I guess the southern
6 fence long along Pleasant Valley Road will have a
7 barrier as per the code requirement with a tree every
8 40-feet, and then I forget what the height requirement
9 is, but we'll certainly meet that landscape barrier on
10 that wall.

11 MR. RAQUE: I'm reading here solid wall or
12 fence. I kind of answered my question.

13 MR. RAY: We're going to build a fence.

14 MR. RAQUE: Got it.

15 CHAIRMAN: Any other questions from the
16 commissioners?

17 (NO RESPONSE)

18 CHAIRMAN: Hearing none I will accept a
19 motion.

20 MR. BALL: I'll make a motion.

21 CHAIRMAN: Commissioner Ball.

22 MR. BALL: Motion to approve based on the
23 Planning Staff Recommendations and Planning Staff's
24 Findings of Fact 1 through 4 and Conditions 1 through
25 4.

1 CHAIRMAN: We have a motion. Do we have a
2 second?

3 MR. VELOTTA: Second.

4 CHAIRMAN: Second by Commissioner Velotta.
5 All in favor signify by raising your right hand.

6 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

7 CHAIRMAN: Motion carries.

8 MINOR SUBDIVISION PLATS

9 ITEM 6

10 6511 Alvey Bridge Road, 2.639 acres
11 Consider approval of a minor subdivision plat.
12 Applicant: John M. & Debra R. Carter

13 MR. HOWARD: This plat comes before you as an
14 exception to the minimum road frontage requirement and
15 3 to 1 requirement. It is a little over 2 1/2 acre
16 parcel. They are establishing it around an existing
17 home. There are notations on the plat that the
18 property shall not be further subdivided without
19 meeting the subdivision and zoning ordinance
20 requirement. So we would recommend since it is around
21 an existing home that you consider it for approval.

22 CHAIRMAN: Any commissioners have any
23 questions?

24 (NO RESPONSE)

25 CHAIRMAN: Hearing none at this time we will
accept a motion.

1 Commissioner Hardaway.

2 MS. HARDAWAY: Motion to approve.

3 CHAIRMAN: Is there a second?

4 MR. VELOTTA: Second.

5 CHAIRMAN: Second by Commissioner Velotta.

6 All in favor signify by raising your right hand.

7 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

8 CHAIRMAN: Motion carries.

9 ITEM 7

10 2804 Highway 279 South, 6.725 acres
11 Consider approval of a minor subdivision plat.
12 Applicant: Ouida Pruden; Timothy Keegan Pearl &
13 Naimeh R. Pearl

14 MR. HOWARD: This plat comes before you as an
15 exception. Once consolidated it is a nice size
16 parcel. It will have road frontage on both 279 South
17 and Pruden Lane, but it is still out of whack with the
18 3 to 1 requirements. So it has to come before you all
19 as approval, but based on the configuration and the
20 notes, further division notations and whatnot, we
21 would recommend that you consider it for approval.

22 CHAIRMAN: Any questions from the
23 commissioners?

24 (NO RESPONSE)

25 CHAIRMAN: Hearing none the chair will accept
a motion.

1 Commissioner Velotta.

2 MR. VELOTTA: Motion to approve.

3 CHAIRMAN: Is there a second?

4 MS. STEWART: Second.

5 CHAIRMAN: Second by Commissioner Stewart.

6 Any questions on the motion?

7 (NO RESPONSE)

8 CHAIRMAN: All in favor signify by raising
9 your right hand.

10 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

11 CHAIRMAN: Motion carries.

12 -----

13 NEW BUSINESS

14 ITEM 8

15 Consider approval of March 2022 financial statements

16 CHAIRMAN: Everybody has had an opportunity to
17 look over those. Does any commissioners have any
18 questions on the financial statement?

19 (NO RESPONSE)

20 CHAIRMAN: Hearing none at this time the Chair
21 will accept a motion.

22 MR. BALL: Motion to approve.

23 CHAIRMAN: Motion to approve by Commissioner
24 Ball.

25 MS. HARDAWAY: Second.

1 CHAIRMAN: Second by Commissioner Hardaway.
2 Any questions on the motion?
3 (NO RESPONSE)
4 CHAIRMAN: All in favor signify by raising
5 your right hand.
6 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)
7 CHAIRMAN: Motion carries.
8 ITEM 9
9 Comments by the Chairman
10 CHAIRMAN: The Chairman has no comments.
11 ITEM 10
12 Comments by the Planning Commissioners
13 (NO RESPONSE)
14 ITEM 11
15 Comments by the Director
16 MR. HOWARD: No thank you.
17 CHAIRMAN: At this time I'll accept a motion
18 to adjourn.
19 MR. BALL: Motion to adjourn.
20 CHAIRMAN: Motion to adjourn by Commissioner
21 Ball.
22 MR. VELOTTA: Second.
23 CHAIRMAN: Second by Commissioner Velotta.
24 All in favor signify by raising your right hand.
25 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

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CHAIRMAN: We are adjourned.

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

3 I, LYNNETTE KOLLER FUCHS, Notary Public in and
4 for the State of Kentucky at Large, do hereby certify
5 that the foregoing Owensboro Metropolitan Planning
6 Commission meeting was held at the time and place as
7 stated in the caption to the foregoing proceedings;
8 that each person commenting on issues under discussion
9 were duly sworn before testifying; that the Board
10 members present were as stated in the caption; that
11 said proceedings were taken by me in stenotype and
12 electronically recorded and was thereafter, by me,
13 accurately and correctly transcribed into foregoing 31
14 typewritten pages; and that no signature was requested
15 to the foregoing transcript.

16 WITNESS my hand and notary seal on this the
17 8th day of June, 2022.

18

19

LYNNETTE KOLLER FUCHS
NOTARY ID 613522
OHIO VALLEY REPORTING SERVICES
2200 E PARRISH AVE, SUITE 205-C
OWENSBORO, KY 42303

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23 COMMISSION EXPIRES: DECEMBER 16, 2022

24 COUNTY OF RESIDENCE: DAVIESS COUNTY, KY

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