

1 OWENSBORO METROPOLITAN PLANNING COMMISSION

2 DECEMBER 8, 2022

3 The Owensboro Metropolitan Planning Commission
4 met in regular session at 5:30 p.m. on Thursday,
5 December 8, 2023, 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 Strode
- 13 Jason Gasser
- 14 Manuel Ball
- 15 Irvin Rogers
- 16 Jay Velotta
- 17 Greg Raque
- 18 Laurna Strehl

14 * * * * *

15 CHAIRMAN: The December meeting of the
16 Owensboro Metropolitan Planning Commission is called
17 to order. We begin with a prayer and the pledge and
18 Commissioner Strode will lead us this evening.

19 (INVOCATION AND PLEDGE OF ALLEGIANCE.)

20 CHAIRMAN: The First item is to consider the
21 minutes of the last meeting. All commissioners
22 received a copy in their packet. Everybody has had an
23 opportunity to look at it. Chair will accept a
24 motion.

25 MR. STRODE: Mr. Chairman, I make a motion to

1 approve the minutes as presented.

2 CHAIRMAN: Motion by Mr. Strode.

3 MR. VELOTTA: Second.

4 CHAIRMAN: Second by Commissioner Velotta.

5 All in favor signify by raising your right hand.

6 (ALL COMMISSIONERS PRESENT RESPONDED AYE.)

7 CHAIRMAN: The motion carries.

8 At these meetings we ask that you come to the
9 podium if you would like to speak. You'll be sworn in
10 and we'll go from there.

11 Director Howard.

12 MR. HOWARD: I will note that the Zoning
13 Changes heard tonight will become final in 21 days
14 after the meeting unless an appeal is filed. If an
15 appeal is filed, we will forward the record of this
16 meeting along with all applicable materials to the
17 appropriate legislative body for them to take final
18 action.

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20 GENERAL BUSINESS

21 ZONING CHANGES

22 ITEM 3

23 2604 Roy Clark Road, 24.185 acres (POSTPONED AT THE
24 NOVEMBER 10, 2022 OMPC MEETING)

25 Consider zoning change: From R-1A Single-Family
Residential and A-U Urban Agriculture to A-U Urban
Agriculture

Applicant: Chris Roby; John Lee Emberton

1 MS. KNIGHT: Please state your name for the
2 record.

3 MR. PEDLEY: Trey Pedley.

4 (TREY PEDLEY SWORN BY ATTORNEY.)

5 PLANNING STAFF RECOMMENDATIONS

6 The Planning Staff recommends approval subject
7 to the findings of fact that follow:

8 FINDINGS OF FACT:

9 1. Staff recommends approval because the
10 proposal is in compliance with the community's adopted
11 Comprehensive Plan;

12 2. The subject property is located in a Rural
13 Community Plan Area, where rural small-lot residential
14 uses are appropriate in general locations;

15 3. All resulting properties shall have road
16 frontage along a public road, Roy Clark Road;

17 4. At 24 plus acres, the subject property is
18 large enough to assure satisfactory operation of a
19 conventional septic tank system located on any
20 proposed lots; and,

21 5. The proposed A-U Urban Agriculture zone is
22 a logical expansion of existing A-U zoning, and will
23 eliminate the existing split-zoning on the subject
24 property.

25 MR. PEDLEY: We would like to enter the Staff

1 Report into the record as Exhibit A.

2 CHAIRMAN: Thank you, Trey.

3 Is there anybody here representing the
4 applicant?

5 APPLICANT REP: I am.

6 CHAIRMAN: Would you like to speak or are you
7 just here to answer question?

8 APPLICANT REP: I have nothing to say, but I
9 can answer questions.

10 CHAIRMAN: Does anybody else that would like
11 to speak on this application?

12 (NO RESPONSE)

13 CHAIRMAN: Do Any commissioners have any
14 questions?

15 (NO RESPONSE)

16 CHAIRMAN: Hearing none the Chair will call
17 for a motion.

18 Commissioner Ball.

19 MR. BALL: I would like to make a motion to
20 approve based on the Planning Staff's Recommendation
21 and the Findings of Facts 1 through 5.

22 CHAIRMAN: We have a motion. Do we have a
23 second?

24 MS. STREHL: Second.

25 CHAIRMAN: We have a second by Commissioner

1 Strehl. Any questions on the motion?

2 (NO RESPONSE)

3 CHAIRMAN: All in favor signify by raising
4 your right hand.

5 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

6 CHAIRMAN: Motion carries.

7 RELATED ITEMS

8 ITEM 3A

9 2604 Roy Clark Road, 24.166 acres
10 Consider a request for a Variance in order to reduce
11 the front yard building setback from 266-feet from the
12 front property line to 162.4-feet from the front
13 property line.
14 Applicant: Chris Roby; John Lee Emberton

15 MR. PEDLEY: This is the same subject property
16 that was heard on the rezoning just a moment ago.

17 Ordinarily on properties like this that are
18 agriculturally zoned property that have over 100-feet
19 of road frontage, the front building setback is
20 generally 30-feet from the front property line.

21 In conjunction with this request, Mr. Roby has
22 submitted a plat that's going to divide his farm into
23 three different tracts of land; two of which would be
24 over 10-acres in size, another would be under 10-acres
25 in size. All three lots will then be kind of
flag-shaped. When that happens, the front building
setback is no longer from 30-feet from the front

1 property line. Rather it gets pushed back to wherever
2 the property fans out at least 100-feet wide.

3 In this situation, moving the building setback
4 line back 266-feet on that first property you see on
5 the right-hand side. This created somewhat of an
6 issue with the zoning ordinance because there is an
7 existing barn you can see on the screen right now that
8 will be located inside that front setback, inside the
9 stem of the property, the second flag-shaped lot.
10 Because of that the variance was needed to allow that
11 building to remain there.

12 As further detailed in the Staff Report, Staff
13 believes that granting the variance as requested will
14 not adversely affect the public safety; will not cause
15 a nuisance to the public; it will not alter the
16 essential character of the general vicinity because
17 the structure is existing; and will not allow an
18 unreasonable circumvention of the requirements of the
19 zoning regulations because, if a road is ever
20 necessary, it shall be located within a 50-foot wide
21 platted access easement that is away from the
22 structure.

23 With that the Staff recommends approval with
24 the condition that the approved variance is only for
25 the existing accessory structure. In the event that

1 the existing structure is later removed, approval of
2 this variance does not constitute as approval to
3 replace it with a single-family residence in this
4 location.

5 We would like to enter the Staff Report into
6 the record as Exhibit B.

7 CHAIRMAN: Thank you, Trey.

8 Does the applicant have anything to say?

9 APPLICANT REP: No.

10 CHAIRMAN: Does anybody else in the audience
11 have anything to say?

12 (NO RESPONSE)

13 CHAIRMAN: Any commissioners have any
14 questions?

15 (NO RESPONSE)

16 CHAIRMAN: Hearing none the chair will accept
17 a motion.

18 Commissioner Mr. Rogers.

19 MR. ROGERS: Mr. Chairman, I would like to
20 make a motion based on the Planning Staff's findings
21 to grant the variance with Findings 1 through 4 and
22 the one condition.

23 CHAIRMAN: We have a motion. Do we have a
24 second?

25 MS. STEWART: Second.

1 CHAIRMAN: Second by Commissioner Stewart.

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 unanimously.

8 ITEM 3B

9 2604 Roy Clark Road, 24.185 acres
10 Consider approval of a minor subdivision plat.
11 Applicant: John Lee Emberton

12 MR. HOWARD: As Trey just explained, this plat
13 comes before you because of the nature of the road
14 frontage left of the three parcels that are being
15 created. This is essentially the extent of which the
16 property will be able to be divided based on the
17 amount of road frontage they have with notes on the
18 plat that the property cannot be further subdivided
19 without meeting the requirements of the subdivision
20 regulations. We would recommend that you consider it
21 for approval.

22 CHAIRMAN: Thank you.

23 Does the applicant have anything to say?

24 APPLICANT: No.

25 CHAIRMAN: Does anybody in the audience have
any?

1 (NO RESPONSE)

2 CHAIRMAN: Any questions from the
3 commissioners?

4 (NO RESPONSE)

5 CHAIRMAN: Hearing none the Chair will accept
6 a motion.

7 MR. ROGERS: Motion for approval of the plat.

8 CHAIRMAN: Motion by Commissioner Rogers.

9 MR. VELOTTA: Second.

10 CHAIRMAN: Second by Commissioner Velotta.
11 Any questions on the motion?

12 (NO RESPONSE)

13 CHAIRMAN: All in favor signify by raising
14 your right hand.

15 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

16 CHAIRMAN: The motion carries.

17 ITEM 4

18 Portion of 3000 Calumet Trace, 6.647 acres
19 Consider zoning change: From B-4 General Business to
20 R-3MF Multi-Family Residential
Applicant: Gateway Land, LLC

21 PLANNING STAFF RECOMMENDATIONS

22 The Planning Staff recommends approval subject
23 to the conditions and findings of fact that follow:

24 CONDITIONS:

25 1. Obtain approval of a Final Development

1 Plan; and,

2 2. Direct access to Calumet Trace shall be in
3 compliance with the Access Management Manual.

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
9 Business Plan Area and a Professional/Service Plan
10 Area, where urban mid-density residential uses are
11 appropriate in limited locations;

12 3. The proposed use, multi-family
13 residential, conforms to the criteria for Urban
14 Residential Development;

15 4. Existing sanitary sewer is available to
16 the subject property;

17 5. The proposed R-3MF Multi-Family
18 Residential zoning is a logical expansion of R-3MF
19 zoning to the north, and a logical expansion of
20 multi-family uses to the east;

21 6. The subject property, located along
22 Calumet Trace, is Major-Street-Oriented; and,

23 7. Compliance with the access management
24 manual should ensure that the proposal does not
25 overburden the capacity of roadways and other

1 necessary urban services that are available within the
2 affected area;

3 MR. PEDLEY: We would like to enter the Staff
4 Report into the record as Exhibit C.

5 CHAIRMAN: Thank you, Trey.

6 Is there anybody here representing the
7 applicant?

8 APPLICANT REP: Yes.

9 CHAIRMAN: Would you like to speak?

10 APPLICANT REP: Just here to answer questions.

11 CHAIRMAN: Anybody in the audience have any
12 questions?

13 (NO RESPONSE)

14 CHAIRMAN: Any commissioners have any
15 questions?

16 (NO RESPONSE)

17 CHAIRMAN: Hearing none the Chair will accept
18 a motion.

19 Commissioner Stewart.

20 MS. STEWART: Mr. Chairman, I would like to
21 make a motion for approval according to Planning Staff
22 Recommendations, Conditions 1 and 2 and Findings of
23 Fact 1 through 7.

24 CHAIRMAN: We have a motion. Do we have a
25 second?

1 MR. STRODE: Second.

2 CHAIRMAN: Second by Commissioner Strode. Any
3 questions on the motion?

4 (NO RESPONSE)

5 CHAIRMAN: All in favor signify by raising
6 your right hand.

7 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

8 CHAIRMAN: Motion carries.

9 ITEM 5

10 1111 Frederica Street, 0.440 acres
11 Consider zoning change: From I-1 Light Industrial to
12 B-4 General Business
13 Applicant: Volunteers of America Mid-States, Inc.;
14 Kenneth Stodghill Rentals, LLC

15 MR. GASSER: Mr. Chairman, I need to recuse
16 myself from this item.

17 PLANNING STAFF RECOMMENDATIONS

18 The Planning Staff recommends approval subject
19 to the condition and findings of fact that follow:

20 CONDITION:

21 1. Direct access shall be limited to W. 12th
22 Street. No direct access to Frederica Street shall be
23 permitted.

24 FINDINGS OF FACT:

25 1. Staff recommends approval because the
26 proposal is in compliance with the community's adopted
27 Comprehensive Plan;

1 2. The subject property is located in a
2 Business Plan Area where general business uses are
3 appropriate in limited locations;

4 3. The proposed use, rehabilitation services,
5 conforms to the criteria for nonresidential
6 development;

7 4. The proposal is a logical expansion of
8 existing B-4 General Business zoning to the south and
9 west; and,

10 5. At 0.44-acres, the proposal shall not
11 significantly increase the extent of the B-4 General
12 Business zoning in the vicinity, and the proposal
13 shall not overburden the capacity of roadways and
14 other necessary urban services that are available in
15 the affected area.

16 MR. PEDLEY: We would like to enter the staff
17 report into the record as Exhibit D.

18 CHAIRMAN: Thank you, Trey.

19 Is anybody here representing the applicant?

20 APPLICANT: I am.

21 CHAIRMAN: Would you like to speak?

22 APPLICANT: I can answer questions.

23 CHAIRMAN: Is there anybody else that would
24 like to speak on this application?

25 MR. WILLIAMS: Yes.

1 CHAIRMAN: Sir, come to the podium.

2 MS. KNIGHT: Please state your name for the
3 record?

4 MR. WILLIAMS: Ron Williams.

5 (RON WILLIAMS SWORN BY ATTORNEY.)

6 MR. Williams: There are questions rezoning in
7 conjunction with conditional use permit to the
8 building directly across the street from it. It's
9 going to be used for extensive parking. How many
10 vehicle we don't know, but we feel that residents of
11 the JZ Moore are opposed to it. It's going to
12 increase traffic to the area. It's not so much we're
13 opposed to that rezoning as much as we're opposed to
14 the conditional use permit which is a separate issue
15 from this one.

16 Also a question if there are going to be any
17 water quality issues. I'm not sure what the use of
18 that building has before over the last 50, 60 years,
19 but I know for the last 30, 35 years it's been a
20 muffler shop or catalytic converters being removed and
21 everything else.

22 Based on what they're going to use it for,
23 because they're also going to use it for a treatment
24 center. At best I think there needs to be some
25 testing of the water in that area.

1 CHAIRMAN: Thank you.

2 Does the applicant want to respond to that?

3 MS. PASQUENZA: Sure.

4 MS. KNIGHT: If you could state your name for
5 the record, please.

6 MS. PASQUENZA: Natalie Pasquenza.

7 (NATALIE PASQUENZA SWORN BY ATTORNEY.)

8 MS. PASQUENZA: In regards to the water
9 quality question, I understand that there has been an
10 environmental survey that's already been completed
11 based on the fact that this was muffler shop in the
12 past. I don't have that handy, but I do know that has
13 been done. Environmental survey has been completed to
14 address the water quality issue.

15 CHAIRMAN: Do you want to speak to the --

16 MS. PASQUENZA: The parking, sure, I can. I
17 think that will probably, in the staff notes I think
18 it talked about that. The parking there will be used
19 for residents. The number I think it conforms to the
20 one parking spot for four residents from the -- and I
21 have some partners here from Morley Architect and
22 Surveyors and Engineers that can probably speak to
23 that part a little bit better, I can bring them up, if
24 that makes more sense.

25 CHAIRMAN: Yes, ma'am.

1 MS. KNIGHT: Please state your name for the
2 record.

3 MR. ELROD: Jeremy Elrod.

4 (JEREMY ELROD SWORN BY ATTORNEY.)

5 MR. ELROD: The parking and not to put maybe
6 the cart before the horse a little too much because,
7 again, the specifics of the use which I think is Item
8 B, the Conditional Use Permit. Currently the parking
9 will be shown visibility 31 spaces which is sufficient
10 for the number of residents and staff as part of the
11 proposed use. Again, tied to the Conditional Use
12 Permit which is heard after the rezoning, if that
13 answers the question.

14 CHAIRMAN: Thank you.

15 Does anybody else have any questions or
16 comments?

17 (NO RESPONSE)

18 CHAIRMAN: Any commissioners?

19 MS. STREHL: I have a question.

20 You say you do have a report about the water
21 quality. Do you know what the results are?

22 MS. PASQUENZA: I do know that an
23 environmental survey has been completed and it passed
24 that.

25 MR. ELROD: I can speak to that.

1 MS. PASQUENZA: He can speak to that.

2 MR. ELROD: What I just asked her if she is
3 required to do a Phase 2. So Phase 1, yes,
4 environmental site assessments look for those.
5 They're big on old car shops, muffler shops, gas
6 stations, that kind of thing. If an issue is found
7 and it's brought to the attention so-to-speak, you're
8 required to do the next step, which is Phase 2. They
9 weren't required to do a Phase 2 which means the
10 results were favorable from the Phase 1.

11 MS. STREHL: Thank you.

12 CHAIRMAN: Does any other commissioners have
13 any questions?

14 (NO RESPONSE)

15 CHAIRMAN: Hearing none the Chair will accept
16 a motion.

17 Commissioner Rogers.

18 MR. ROGERS: Mr. Chairman, I make a motion for
19 approval based on Planning Staff Recommendations with
20 the one Condition and the Findings of Fact 1 through
21 5.

22 CHAIRMAN: We have a motion. Do we have a
23 second?

24 MR. BALL: Second.

25 CHAIRMAN: Second by Commissioner Ball. Any

1 questions on the motion?

2 (NO RESPONSE)

3 CHAIRMAN: All in favor signify by raising
4 your right hand.

5 (ALL BOARD MEMBERS PRESENT, WITH JASON GASSER
6 RECUSING HIMSELF, RESPONDED AYE.)

7 CHAIRMAN: Motion carries.

8 RELATED ITEMS

9 ITEM 5A

10 1111 & 1201 Frederica Street, 0.83 acres
11 Consider a request for a Conditional Use Permit in
12 order to operate an addiction rehabilitation facility
13 from the subject properties.

14 Applicant: Volunteers of America Mid-States, Inc.;
15 Kenneth Stodghill Rentals, LLC; Crandall Properties,
16 LLC

17 MR. PEDLEY: The subject properties are
18 located at the intersections of West 12th Street and
19 Frederica Street. Most of the adjoining properties
20 are commercial or industrial in nature, but there are
21 residential zones in uses located to the east along
22 St. Ann Street.

23 The intent is to utilize the existing
24 structures at both sites to operate an addiction
25 rehabilitation facility for pregnant women and
parenting mothers, offering both residential and
outpatient care within both buildings. The Staff
Report stated that the outpatient care will be

1 designated towards individuals residing within the
2 facility and will not be designed for walk-in
3 treatment.

4 We did find out from the applicant engineer
5 yesterday a little clarification on that. In this
6 program will be residents living in these facilities.
7 They also have residents that live off campus. The
8 outpatient care would also be opened to those
9 patients, those individuals who reside off campus but
10 are a part of this program. Clarification to the
11 Staff Report there.

12 The proposal is expected to host 42 bedrooms;
13 many with bunkbeds in order to serve two women within
14 one room or in order to provide an opportunity for a
15 child to reside in the room with the mother throughout
16 the duration of the mother's stay. The applicant has
17 stated that, despite having the potential for 84 beds,
18 they do not anticipate more than 50 residents
19 receiving care at one time.

20 For this use the zoning ordinance would
21 require one space every four patients plus one space
22 for each employee on maximum shift.

23 As you can see on the site plan, the applicant
24 intends to close the existing access point at 1201
25 Frederica Street, a former furniture store, limiting

1 access to West 12th Street and then also pushing all
2 of the parking onto the property at 1111 Frederica
3 Street, the former muffler shop.

4 With the 31 parking spaces shown on the site
5 plan and 15 employees at maximum shift, the site could
6 potentially support as many as 64 patients plus their
7 children. Because that 64 patients is larger than the
8 anticipated 50, the OMPC may place conditions on this
9 application limiting the maximum number of patients
10 under care at one time.

11 The zoning ordinance also require landscaping
12 consisting of 3-foot tall continuous element, one tree
13 pure 4 linear feet where the subject property, where
14 the vehicular use area in adjoining Frederica Street
15 and West 12th Street.

16 If approved Special Conditions include:

17 1. If deemed necessary, the OMPC may impose a
18 condition limiting the maximum number of patients
19 under care at one time;

20 2. Direct access to both sites shall be
21 limited to West 12th Street. Neither site shall be
22 permitted direct access to Frederica Street. The
23 existing open-access to Frederica Street from 1201
24 Frederica Street shall be closed;

25 3. Obtain approval of a Final Development

1 Plan; and,

2 4. Obtain all necessary building, electrical
3 and HVAC permits, inspections and certificates of
4 occupancy and compliance, including those required by
5 the State of Kentucky and all other required entities.

6 We would like to enter the Staff Report into
7 the record as Exhibit E.

8 CHAIRMAN: Thank you, Trey.

9 Would the applicant like to speak?

10 MS. PASQUENZA: I do believe our slides were
11 shared earlier, I think.

12 Thank you very much for allowing me to speak
13 today.

14 I'm representing Volunteers of America
15 Mid-States. This organization has been around for 126
16 years here in Kentucky and we also serve Tennessee,
17 West Virginia and two counties in Southern Indiana.

18 We have about 50 programs over those four
19 states. We have six service lines. I'll just go
20 through this briefly.

21 VOA Community is where we help those adult
22 with intellectual and developmental disabilities live
23 an independent life inside their communities and not
24 shelter in an institution.

25 VOA Health is our community health worker and

1 HIV outreach and prevention work.

2 VOA Homes is our homelessness prevention and
3 emergency shelter work.

4 VOA Justice is our restorative justice program
5 that ends the preschool to prison pipeline for those,
6 especially for juveniles.

7 VOA Honor is where we help and support our
8 veterans as they come back to civilian life.
9 Sometimes they need assistance doing that. We provide
10 job training, helping them get jobs as well as
11 providing housing and other therapy services for
12 themselves and their families.

13 VOA Recovery which is where Freedom House
14 Program, where that fits in.

15 I have myself here. I also have Molly
16 McCarroll, she is our director of engagement here in
17 Owensboro a person with Morley Engineering here with
18 me.

19 Freedom House is the only one of its kind in
20 Kentucky. It's been around since 1993. It allows a
21 mother experiencing substance abuse disorder to get
22 treatment along with any and all of her children.

23 We have found in other places where the mother
24 can go get treatment but she can't bring any of her
25 children or she can only bring one or she can only

1 bring a child who's under the age of seven. So
2 therefore she's faced with a choice of either do I go
3 get treatment, or do I just bring one child, who do I
4 not bring with me. We know that the trauma of family
5 separation is one of those childhood aces that they've
6 already earned an ace that they're not allowed to go
7 visit their parents.

8 Family focus recovery aims to get at the heart
9 of the addiction. It's trauma. So trauma is the
10 drug. Most of these women that come to us have had a
11 life that, the stories you would have heard would
12 break you. So they need to bring all their children
13 with them and heal along as a family.

14 Since 1993, again, we have been mostly in
15 Louisville. It was run by social workers who didn't
16 think that data was important so until about the early
17 2000s we really weren't starting to collect any data
18 about their outcomes, but since we started collecting
19 that data we have had 304 healthy infants being born
20 through this program, and what we mean by healthy is
21 they have not had any exposure to illicit substances
22 in utero. We know that when babies are born and
23 exposed to such substances they are often time quite
24 early. You can imagine the environment is toxic. The
25 baby wants to get out as fast as possible. There's

1 lots of ramifications to them. You can imagine
2 developmental concerns. Again, just being born
3 substance exposed is not a great way to start your
4 life.

5 Freedom House has three phases of treatment.
6 The first one is residential. This is our most
7 intense level of treatment. It can last anywhere from
8 30 to 60 days depending on the mom's needs. We
9 evaluate mom for all kinds of things when she first
10 comes in; her willingness to change, her needs for
11 safety, etcetera. Whether she has custody of all of
12 her children. We prefer to reunite families because
13 families need to be reunited to grow. So the
14 residential care is 40 hours of work. So that's their
15 job when they're with us. They spend 40 hours in
16 parenting classes. Sometimes we have folks come in to
17 teach them how to make meals. That's a skill they
18 haven't had an opportunity to learn, how to make
19 healthy meals for themselves and their children.
20 Group therapy, individual therapy, etcetera. Again,
21 that is intense work.

22 Phase 2 is Intensive Outpatient; we call it
23 IOP. We have IOP with boarding. We still let them
24 live with us after 30 or 60 days. Their recovery is
25 still pretty fragile. We want to have our arms

1 wrapped around them so they feel the support and they
2 still have the same community that they've developed
3 while they were living with us.

4 So their amount of treatment is reduced to
5 about 15 to 20 hours a week and the other time they
6 are working on going back to school, learning what
7 kind of career they're interested in. Sometimes women
8 will still be pregnant so they'll go do volunteer
9 work. So that's what their life is like with the
10 remaining of those six to eight weeks or so.

11 After that we go to Phase 3 which we call
12 traditional living. This is when we are working
13 towards getting them back into society to be
14 functional humans within our community. They are
15 working full-time. They are going back to school
16 full-time depending on whatever makes sense to them.
17 They also continue to have their children living with
18 them or we continue to work to get them reunited if
19 they still do not have that ability to.

20 Three years is our total from Phase 1 to the
21 end of Phase 3 for a couple of different reasons.
22 Again, recovery is fragile. They need all of the
23 support and the ecosystem in place to continue to
24 remain sober and healthy and functional in our
25 society, as well as the first three years after a

1 child is born women are most at risk to experience
2 abuse.

3 We are very outcome focused as you can see.
4 Again, this is Kali Grace. She was our 300th healthy
5 baby since we've been counting. She was born in
6 September so we had a nice celebration for our Kali
7 Grace.

8 NICU, neonatal intensive care unit where most
9 premies go for some time after they've born or those
10 babies that go after they've been born from an
11 environment where there was substance exposed. The
12 average stay in a NICU in Kentucky is 18 days, in our
13 locations in Louisville. We've reduced that down to
14 two and in Manchester, Kentucky we've reduced that
15 down to five.

16 Just some other outcomes; 304 babies have been
17 born under this care of this program and have been
18 nice and healthy and had a very different start to
19 life than they would have had they not been part of
20 this program. 100 percent of the babies come back at
21 their newborn checkup and have regained all of their
22 birth weight. That is just another sign of a healthy
23 infant. 88 percent have had increased visitation or
24 have custody back with their children. Again, this is
25 family focused recovery and the goal is to get the

1 families back together to reduce the trauma of
2 separation. Folks that come through are very
3 satisfied within the field that we were instrumental
4 in getting their life back.

5 Right now here is a little slide of where our
6 locations are. We are currently in Louisville which
7 is where our first one was started. We actually have
8 three different buildings there because we've had to
9 grow to meet the demand.

10 In Clay County we opened another Freedom
11 House, and that's a picture up there on the top is one
12 in Clay County. We opened that in March of 2020,
13 which was the time to start a program, but we have
14 been full ever since. We are doubling the size there.

15 The picture on the bottom is our facility on
16 Second Street. We call that Freedom House Three
17 because it's the third one that was built, but that's
18 the picture of one of our Louisville locations.

19 Here are some interior pictures to see what
20 our program is all about. We are not an institution.
21 This is a home. We want them to feel at home and we
22 want them to learn what home also feels like. As you
23 can see, these are just different pictures of our
24 Manchester cite. That's our newest one, Shelby Street
25 that is in the old Red Cross Hospital in downtown

1 Louisville. And then, of course, Louisville, South
2 Fourth Street and that was the picture that you saw
3 earlier.

4 Safety is the utmost concern. We have
5 children living with us. That is very important to
6 us. So we do have a couple of different ways to
7 address safety concerns.

8 Mechanical safety, outdoors there's only one
9 way in and out for patients and for staff members,
10 that is locked. You have to have a fob in order to
11 get in. If you're a visitor you have to be buzzed in.
12 We have a human oversight. Their lives are pretty
13 scheduled so they have only specific times when they
14 leave to walk their babies outside in the sun in their
15 strollers. There's definite times for that. If they
16 have a doctor's appointment, they scheduled ahead of
17 time so they're escorted out of the door to get into
18 the bus or whatever it is to take them to the doctor's
19 office. There is security lighting on the outside, of
20 course, and then we also have security cameras.

21 I can tell you since 1993 since we've had this
22 program in place there have been no incidences.

23 This is just a slide to show you about
24 recovery ecosystem. While this is an important step
25 in recovery it is not the only step. VOA is very

1 intentional about working with communities and making
2 sure that the rest of the ecosystem is in place to
3 support women and families as they continue on with
4 their recovery.

5 Those three women, they are three women that
6 went through our program five years ago. This is
7 their first day of kindergarten. Those three boys are
8 starting kindergarten and they are kindergarten ready,
9 which is pretty important to start your life in school
10 that way.

11 The woman on the left is Christina Compton.
12 She is now actually our director over the admissions
13 department.

14 Plans for expansion to Owensboro, why
15 Owensboro? In 2018 or 2019, pre-pandemic for sure, a
16 Kentucky advocate did a community survey, community
17 needs assessment to see what was needed for the health
18 and welfare within their families, and one of the
19 things that came to the top of the list was the need
20 of care for moms and pregnant moms. Of course, we
21 started working on bringing Freedom House to
22 Owensboro. The pandemic hit so things shutdown and
23 stopped for a while.

24 It kicked back in, in 2021 and in November of
25 2021 we came to Owensboro and had our very first town

1 hall. From that town hall we got a lot of support.
2 While we are, where we are now it took a year to
3 actually to find a place that that we could use for
4 this purpose, that met our needs that checked all of
5 our boxes. We also had another kick off. We had
6 support from others. Independence Bank helped us with
7 a quick kick off this summer to gain some more
8 understanding of what we are doing.

9 After our town hall, we have developed a
10 fantastic steering community. I have a slide that
11 tells you all the folks that are involved in our
12 steering committee who are supportive and wants to
13 bring Freedom House to Owensboro.

14 Again, like I share those are other supportive
15 services that wrap around these women as they come out
16 of recovery and we definitely have plans to bring
17 those to Owensboro as needed.

18 This is really small print. We keep getting
19 people asking to join. So we have lots of folks that
20 have joined our steering committee. They represent
21 all different areas of the community. There are folks
22 from an educational foundation. They are the ones
23 that actually funded the assessment from Kentucky
24 advocate back in 2018 or 2019 when it happened. River
25 Valley Behavioral Health is very supportive of this

1 work as well. They have programs of pregnant and
2 parenting women, but it limits the number of children
3 that can come and it just doesn't serve. They are
4 very supportive of us coming as well.

5 We have representation for Owensboro Health,
6 Dr. Bridget Brashears who oversees the NICU as well as
7 the NICU nurse. They have shared with me that 19
8 percent of every birth this fiscal year for them have
9 been born substance exposed.

10 Patricia Tennen, she's from Kentucky Advocate.
11 We have a representative, like I said, from Nick Oller
12 at Independence Bank. We have support from the
13 Department of Community Service which is sometimes
14 known as Child Protective Services. Pastor Bonar from
15 Pleasant Grove Baptist Church, we have support as well
16 as support from Brescia University and we are working
17 at coming up, we met some folks from the Owensboro
18 Community Technical school. We've had some
19 conversations with them about helping to serve our
20 women then come out of recovery.

21 Who is supporting this work? We have like, I
22 said, Hagger Educational Foundation. They were one of
23 the first local support that came through with
24 \$300,000 over three years. That was one of the
25 biggest gifts they have ever given.

1 PNC Bank was the very, very first one in the
2 door. They gave us some money to do all the
3 preplanning work that we needed to do to get where we
4 are today.

5 The State of Kentucky is very supportive of
6 this work as well. Representative Myles and Senator
7 Castlen helps support the Freedom House expansion in
8 the state budget this year. You can see there is \$8
9 million from the state. That's actually four
10 different locations where we're expanding over the
11 next couple of years.

12 The Kentucky Chamber and Kentucky Sports Radio
13 had a fundraiser of sorts where they're donating some
14 of that money to our Owensboro efforts here as well.
15 Upcoming request you can see where those are.

16 Our next slide is just a picture. We expect
17 that we will be investing 5 or \$6 million of upgrades
18 and renovations to this building and we're really
19 excited about what you can expect from this site.
20 That's all.

21 CHAIRMAN: Thank you.

22 Anybody else in the audience?

23 Mr. Williams.

24 MR. WILLIAMS: I guess I would like to start
25 off by saying that those of us in the JZ Moore History

1 District, we feel like we kind of got blind-sided
2 here. They had open house Tuesday night. At first I
3 was really shocked that only I and one other person
4 showed up. One of the first things they told me when
5 I showed up was that they were glad that we were there
6 and wanted to be open and transparent and invite
7 everybody in the neighborhood to review. It wasn't
8 the truth. It wasn't even close to the truth. The
9 other people didn't show up because none of them got
10 letters. Nobody else got a letter. We were informed
11 that night by the group that legally speaking they
12 were only obligated to send out two letters. Those
13 two letters were to the two properties that their
14 building is going to back up to.

15 Don't tell me that you're open to the whole
16 neighborhood when the only thing you did was you met
17 the very minimum. You know, don't tell me you're
18 transparent when you're not.

19 No one is questioning that there's not a need
20 for these kind of facilities. I definitely agree with
21 them that there is a need for it. But then you've got
22 to look where the building is at.

23 I'm pretty sure if each and every one of you
24 on this board were honest, there's not a one of you
25 that can say, you know what, that's great. Why don't

1 you put it within 100 feet of my house. If there is,
2 I want you to stand up and show yourself right now.
3 Are any of you willing to say you want it next to your
4 house? You want it next to your house?

5 MR. RAQUE: I'm perfectly comfortable with
6 this next-door to my house.

7 MR. WILLIAMS: You got any property available?

8 MR. RAQUE: I'm not here to answer your
9 questions.

10 MS. STREHL: Me too.

11 MS. STEWART: I agree with him.

12 MR. WILLIAMS: They're saying that -- to show
13 you the slides they've been doing construction work,
14 they've been building. For at least 50 years or more,
15 long before most of you all were on the board or all
16 of you were on the board, we've had these old
17 buildings throughout the city torn down and always
18 when they were torn down the answer was, the engineers
19 said it was too expensive to have these building. It
20 was cheaper to tear them down and start from scratch.
21 I don't dispute that. My question the other night
22 was, since you've got a 5 or \$6 million budget, why
23 don't you just build. That's too expensive. Well,
24 apparently it's not too expensive. It just showed
25 where they've been building. So they can build other

1 places, but apparently they can't build here.

2 I'm not saying that there's not a need for
3 drug rehab, but it should not be that close to a
4 residential area where there is other small children
5 in the neighborhood playing. There will be increase
6 traffic. You will have more people walking around.
7 It will change real estate values and the building
8 itself when the time comes ready to redo it. I don't
9 dispute there's a need for this, but I'm pretty sure
10 in the City of Owensboro and the County of Daviess
11 that there's other lots that are open that it could be
12 built on.

13 I've heard all the names she mentioned, and I
14 guess a lot of you guys are probably connected to
15 them. I'm sorry we don't live in half million dollar
16 neighborhoods, but just because you don't live in a
17 half million dollar subdivision doesn't mean you don't
18 have rights as well. We feel that we have a right to
19 protect our neighborhood as well as anybody else does.
20 We are strongly opposed to this and we hope that you
21 at least consider it.

22 CHAIRMAN: Thank you.

23 Anybody else want to comment on this
24 conditional use permit?

25 MS. MCCARROLL: I will.

1 CHAIRMAN: Ma'am.

2 MS. KNIGHT: Please state your name for the
3 record.

4 MS. McCARROLL: It's Molly McCarroll.

5 (MOLLY McCARROLL SWORN BY ATTORNEY.)

6 MS. McCARROLL: This is a tough position for
7 me because I am here as the director of community
8 engagement for Volunteers of America. I also live on
9 that block. I live on the same side of the street as
10 we're planning to do this. I live there as a single
11 woman living by myself.

12 One of the things that makes me feel
13 completely safe is that I have CVS in my backyard.
14 They have lights all the time. They have security
15 cameras all the time. A couple of these guys who are
16 my neighbors and I like and really like having a good
17 neighborhood with people I like. I respect and
18 understand their concerns, but I have to say that
19 taking that building on the street corner from being a
20 big ugly empty space and turning it into something
21 that is beautiful, that's well lit, that has security
22 cameras outside it and that has people there all the
23 time. Seems to me like not only it would beautify the
24 neighborhood, which would be good for property value,
25 but would also make it safer in my mind. It would

1 make it as safe as that CVS parking lot which is
2 comfort to me. That's it.

3 CHAIRMAN: Thank you.

4 Is there anybody else that would like to
5 speak?

6 Sir.

7 MS. KNIGHT: Please state your name for the
8 record.

9 MR. SMITH: Cory Smith.

10 (CORY SMITH SWORN BY ATTORNEY.)

11 MR. SMITH: My name is Cory Smith and I'm with
12 the engineering office. I jut want to speak to the
13 letters.

14 There was a neighborhood meeting held on
15 Tuesday. It was made apparent from the beginning that
16 Volunteers of America wanted to meet the neighbors and
17 be transparent and everything we were doing. So we
18 did send out 18 letters total, including the entire
19 block of St. Ann Street. Now, that address and
20 information was all pulled from the PVA website. So
21 it was sent to property owners specifically. I know
22 Mr. Williams received one and I know Molly received
23 one as well. I can attest that we did send out those
24 letters and it was to the property owners all along
25 that street, that block of St. Ann Street. That's all

1 I have to say. Thank you.

2 CHAIRMAN: Thank you.

3 Anybody else have anything?

4 (NO RESPONSE)

5 CHAIRMAN: Commissioners have any questions?

6 Commissioner Ball.

7 MR. BALL: There was some talk about
8 potentially limiting the amount of patients under care
9 at one time. I don't know that we really heard from
10 the applicant what their true thoughts are on that.
11 Can we hear what your thoughts are the number of
12 patients under care?

13 MS. PASQUENZA: Sure. We're happy to follow
14 whatever requirements that the board has.

15 It's hard to say exactly how many we can fit
16 because we don't actually have an architectural
17 drawings such as that. In the different phases of
18 treatment, so like Phase 1 it's very dorm-style so
19 that's going to be one kind of style of room. Phase 2
20 is more like an efficiency apartment. Then Phase 3 we
21 hope to have just a couple of apartments here. Again,
22 it just depends on, obviously it limits the parking
23 and limits that you decide to place on that.

24 This will actually be, to answer that, we've
25 never actually built from the ground up. We've always

1 renovated. So we always are at the mercy of what the
2 building presents us with how we're going to build. I
3 wish I could be more specific than than. These are
4 all just eyeballs being in the room. I think we can
5 probably get 40, 50 rooms here because we have
6 community space. We have communal kitchen. We have
7 group space. We have a communal living room. Like
8 all this other parts to this house that they live in
9 that we have in there too. Does that help?

10 MR. BALL: I think so. This may be a question
11 more to the engineer, to Mr. Elrod.

12 What's the capacity from a parking standpoint
13 based on that requirement?

14 MR. ELROD: The Staff Report based on the 15
15 employees on a maximum shift would achieve the
16 anticipated 50 patients with the provided 31 parking
17 spaces.

18 MR. BALL: So it meets the requirement of 50
19 patients and staff based on the existing parking area
20 that you have. Am I understanding it correctly?

21 MR. ELROD: Correct. Now, where the
22 uncertainty comes is if they have 13 staff members,
23 that may free up additional, you know, capacity for
24 additional patients and that's just a clarity we don't
25 have yet just because we haven't gotten that far in

1 the process and design.

2 MR. BALL: Thank you.

3 MR. WILLIAMS: How can we have a budget when
4 we don't even have a blueprint?

5 MR. HOWARD: If you don't mind, come to the
6 mike so it can be recorded for the minutes.

7 MR. WILLIAMS: She previously said they had I
8 think \$5 million budget. He's just saying they don't
9 have a blueprint yet. How do you budget for something
10 you don't have a blueprint for? It's a little tricky
11 in the construction business? You generally draw up
12 on the plans and then you start calculating your cost.
13 Not the other way around.

14 Another question, where are these residents
15 going to come from? Are they going to be our local
16 people? Are they going to be coming from all over the
17 state? I don't really know.

18 CHAIRMAN: Thank you.

19 Can you answer that?

20 MS. PASQUENZA: Sure. So the first question,
21 it is not a budget. It is an approximation based on
22 the estimates; again, eyeball it is what we can
23 possibly do, and with the knowledge of how our
24 engineering firm, what current construction costs have
25 been. So he's right, we do not have a budget. I'd

1 like to share the specifics of our budget and I
2 apologize. It's estimates, again, what can we do.
3 It's going to cost 4 to 5 million, that kind of thing
4 to make sure that this was even in the realm of
5 feasible for us. If it was going to be 12, we were
6 going to have to move on. That kind of estimates.

7 Our are patients will come from many different
8 places. Here in Owensboro, again, I share that 18 to
9 19 percent of the babies born at Owensboro Health are
10 substance exposed. We'll get referrals. They'll come
11 to us from Owensboro Health.

12 What we have found in Louisville and
13 Manchester is that if Manchester is full, then we
14 drive women to Louisville until Manchester opens up.
15 That has also served women well. We have families
16 that came specifically from Manchester. One I can
17 think of. She was escaping a domestic violence
18 situation so she certainly did not need to stay home.
19 Sometimes families are sources of support and
20 sometimes they're not. So we have that ability to be
21 quite flexible with where residents come from and
22 where we move them and if they stay in one place for a
23 while, or if they want to go closer to home, if that
24 makes sense.

25 CHAIRMAN: Thank you.

1 Does that answer your question.

2 MR. WILLIAMS: As good as she's going to
3 answer it, I guess.

4 I just think it's a shame we're going to be
5 doing this and a good chance the people we're going to
6 be treating aren't even our own locals. I think we
7 probably should be taking care of our locals before we
8 take care of out of towners. That's all.

9 CHAIRMAN: Thank you.

10 Anybody else have any questions or comments?

11 MS. KNIGHT: Please state your name for the
12 record.

13 MR. GASS: Robert Gass.

14 (ROBERT GASS SWORN BY ATTORNEY.)

15 MR. GASS: Just for the record I did not
16 receive a letter about this, but through all this
17 proceeding tonight what I think they're doing is
18 great. It is, but nobody has said how many people is
19 going to be staying in that house. Is it 40, 50, 70?
20 There needs to be a concrete number what's allowed to
21 stay in that place and they need to stick with that
22 and not have 100 or 80 just stuffed in every nook and
23 cranny. There's not been a thing said exactly how
24 many patients are going to be allowed to stay on that
25 property. That's not been clarified.

1 CHAIRMAN: Thank you.

2 Do you want to try to clarify your scene?

3 MS. PASQUENZA: I believe from the Staff
4 Report that there are some recommended conditions that
5 we will certainly follow. I think we're limited by
6 parking. I don't think there is an absolute number.
7 Again, I think condition number 5 or 6 was the
8 approval of continued plans so this is not a one and
9 done. I think obviously you will be seeing all of our
10 plans and every step we take you all will have to be a
11 part of and approve for us to move forward.

12 MR. PEDLEY: I just want to provide a little
13 clarification on the parking count of how that was
14 come up with.

15 The zoning ordinance has a requirement for
16 this use to be, it's one per four patients, plus one
17 per every employee on maximum shift. The site plan
18 they provided showed 31 parking spaces on the site of
19 the former muffler shop. We were told that you all
20 anticipated, that the applicant anticipate 15
21 employees on maximum shift. So 31 minus 15 is 16
22 remaining parking spaces. That opens the door for
23 ordinance requirements to allow as many as 64
24 patients. We were also told by the applicant that
25 they anticipated while the plans were not in place

1 they anticipated 50 patients under care at maximum.
2 That's why that condition was mentioned, because 50 to
3 64 is a jump. We just want to make sure that
4 discrepancy is known. There was some conversation
5 about it so I wanted to put clarification on it.

6 CHAIRMAN: Thank you, Trey.

7 MR. BALL: I would like to ask question while
8 we're on that. I understand it's in the Staff Report
9 here. We've gone from 50 to 64. Is the applicant
10 okay with that smaller number? Are they comfortable
11 with that? Does their project work based on that?

12 MS. PASQUENZA: With 50?

13 MR. BALL: Yes.

14 MS. PASQUENZA: Of course.

15 MR. HOWARD: To your question, you as the
16 decision making body can set it at whatever number you
17 feel is appropriate. Based on Mr. Pedley's
18 calculations they could do 64, but you don't feel
19 comfortable with that and you want it to be 50, that's
20 fine. If you think it should be 40, you could set it
21 at that. Whatever based on what you've heard, based
22 on the parking available and that type of thing, you
23 can establish that number.

24 MR. BALL: Thank you.

25 CHAIRMAN: Mr. Williams.

1 MR. WILLIAMS: I understand right now we're
2 taking about patient numbers and employee numbers for
3 parking spaces. I understand that. I realize in
4 speaking with her the other evening, it was her view
5 that most of these people do not have very many people
6 coming to visit them. They can't have family members
7 and so forth. They generally don't, they can. What
8 about when they have visitors and so forth? When I
9 listen to you talking about it, I'll be honest with
10 you, it sounds to me like you all already made your
11 mind what you're going to do. I'm getting the
12 impression, I'm just standing here talking, I get the
13 impression you all have already made up your mind.
14 There's been enough discussion among you all
15 previously or something. I'm not saying that's the
16 case. I'm just saying that's the impression I'm
17 getting. We're talking about would you be okay with
18 this number? We don't need to worry about numbers
19 unless you all approve the project. Then you approve
20 the project, that's when you address the numbers. At
21 least that's my opinion.

22 MS. STREHL: Can you remind me why you oppose
23 it? What is your number one reason to oppose this?
24 Because I've lost it with all of this conversation a
25 little bit.

1 MR. WILLIAMS: My biggest problem is I feel
2 like it's definitely going to effect property value,
3 resell value.

4 MS. STREHL: And that's a guess. It's not a
5 fact.

6 MR. WILLIAMS: No. I do not have a fact of
7 that.

8 MS. STREHL: You have an opposing opinion over
9 here that it might do the opposite. So that's
10 probably not.

11 MR. WILLIAMS: I'm pretty sure it's not going
12 to increase the value of our property. I'm pretty
13 confident of that. If you think it does, maybe you're
14 setting on the wrong board. That's just not good
15 thinking there.

16 MS. STREHL: You have lot of opinions tonight.

17 MR. WILLIAMS: I sure do, ma'am.

18 MS. STREHL: And we do have a job to do here
19 and that is to make a decision.

20 MR. WILLIAMS: I'm sure you will make one.
21 It's probably already been done.

22 CHAIRMAN: Mr. Williams, I want to assure you
23 there has been no prior discussion about these items
24 until tonight.

25 Any other questions or comments from the

1 audience?

2 MR. DILLON: Just a short one.

3 MS. KNIGHT: Sir, can you state your name for
4 the record, please?

5 MR. DILLON: My name is Gary Dillon. My
6 property backs up in the alley next to it.

7 (GARY DILLON SWORN BY ATTORNEY.)

8 MR. DILLON: My property backs right up to
9 that building there. There's an empty lot there.
10 There used to be a house there and they tore it down a
11 few years ago. I was just wondering what is going to
12 happen to that lot? Are they going to fence it in?
13 Are they going build a building there or make a
14 playground out of it or what? Anybody know? There's
15 an empty lot. If you look up there, there's an empty
16 lot right behind Brownings old building there, the
17 grassy area.

18 MS. PASQUENZA: I can absolutely answer that,
19 yes. We anticipate that will be an outdoor
20 recreational space for women and their children.

21 MR. DILLON: So that will be all fenced in?

22 MS. PASQUENZA: Absolutely.

23 MR. DILLON: That was my question.

24 CHAIRMAN: Thank you.

25 Any other questions or comments from the

1 audience?

2 (NO RESPONSE)

3 CHAIRMAN: Any questions from the
4 commissioners?

5 MS. STEWART: I have one, Mr. Chair. I think
6 my question is for Director Howard.

7 Just a little clarification for everyone in
8 the room. If we were to approve or deny this, if we
9 were to approve it, they are required to follow all of
10 our conditions in place that we have voted on before
11 receiving final approval on their final development
12 plan, correct?

13 MR. HOWARD: Right. If you were to deny the
14 application, the application would be done and final.
15 If they so chose and didn't agree with the
16 recommendation or the decision of the Planning
17 Commission, they could appeal that to Circuit Court.
18 If you recommend approval of it, you can do so with
19 conditions, and whatever conditions you set as part of
20 the review of plans through both the building
21 department and Planning Staff, which our office covers
22 both, they would have to meet all of those conditions.
23 They would have to be documented on their final
24 development plan. They would have to be reflected in
25 the building plans if applicable. So you have that

1 option as well.

2 MS. STEWART: Thank you.

3 CHAIRMAN: Any other questions from the
4 commissioners?

5 (NO RESPONSE)

6 CHAIRMAN: Hearing none the chair will now
7 accept a motion.

8 Commissioner Stewart.

9 MS. STEWART: I'm sorry if I butcher this. I
10 would like to a motion for approval according to the
11 zoning ordinance requirements of parking and
12 landscaping 1 and 2, and at the pleasure of the
13 Commission I would like to implement a third condition
14 for a cap of 56 patients at most, if that would be
15 feasible for our commission, as well as approval with
16 the special conditions 1 through 4.

17 MR. HOWARD: And findings.

18 MS. STEWART: And with the findings that a
19 final development plan will have to be approved
20 beforehand.

21 MS. KNIGHT: There could be findings about why
22 you think this is appropriate since the motion is to
23 approve it.

24 MS. STEWART: Thank you.

25 With the findings that by limiting the access

1 from the one access point that is on 12th Street, as
2 well as limiting the number of patients under care as
3 a third condition that had been previously mentioned
4 because the use should not overburden the roadway
5 within the affected area. And that the anticipated
6 parking does not adjoin any residential zoning so the
7 development should not cause a nuisance to any of the
8 adjoining properties, and it is also adopted with our
9 Owensboro Daviess County Comprehensive Plan.

10 CHAIRMAN: Thank you, Commissioner. We've got
11 a motion. Do we have a second?

12 MR. BALL: Second.

13 CHAIRMAN: Second by Commissioner Ball. Any
14 discussion on the motion?

15 (NO RESPONSE)

16 CHAIRMAN: Hearing none the chair will ask for
17 a vote. All in favor signify by raising your right
18 hand.

19 (ALL BOARD MEMBERS PRESENT, WITH JASON GASSER
20 RECUSING HIMSELF, RESPONDED AYE.)

21 CHAIRMAN: Motion carries.

22 ITEM 6

23 1512 Jackson Street, 0.155 acres
24 Consider zoning change: From B-4 General Business to
25 B-5 Business/Industrial
Applicant: Joseph H. Simmons

1 MS. KNIGHT: Please state your name for the
2 record.

3 MS. EVANS: Melissa Evans.

4 PLANNING STAFF RECOMMENDATIONS

5 The Planning Staff recommends approval subject
6 to the findings of fact that follow:

7 FINDINGS OF FACT:

8 1. Staff recommends approval because the
9 proposal is in compliance with the community's adopted
10 Comprehensive Plan;

11 2. The subject property is located in a
12 Business/Industrial Plan Area, where
13 Business/Industrial uses are appropriate in general
14 locations;

15 3. The proposed use, personal storage,
16 conforms to the criteria for Nonresidential
17 Development; and,

18 4. With the installation of any required
19 screening elements, the proposed development shall
20 comply with the criteria for Buffers for Outdoor
21 Storage Yards.

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

24 CHAIRMAN: Thank you, Melissa.

25 Anybody in the audience representing the

1 applicant?

2 (NO RESPONSE)

3 CHAIRMAN: Is there anybody else that would
4 like to speak?

5 MS. KNIGHT: Please state your name for the
6 record.

7 MR. BAUMGARDNER: Scott Baumgardner.

8 (SCOTT BAUMGARDNER SWORN BY ATTORNEY.)

9 MR. BAUMGARDNER: Just out of curiosity, I a
10 own a business behind there. Since there's nobody
11 here representing the applicant to get my question
12 answered, but I was curious as to the nature of the
13 business. Not opposed to it in any way. I just
14 literally came to find out what is going on.

15 MS. EVANS: The application states personal
16 storage. I don't believe that they're actually going
17 to operate, currently the proposal is not to operate a
18 business necessarily, but this was the avenue to have
19 storage on this property, but that doesn't mean that
20 in the future if that is no longer there that there
21 could be a business in the future, but at this point
22 it's personal storage for the applicant.

23 MR. BAUMGARDNER: That's all I needed to know.
24 Thank you.

25 CHAIRMAN: Thank you, Melissa.

1 Any other questions or comments from the
2 audience?

3 (NO RESPONSE)

4 CHAIRMAN: Any comments or questions from the
5 commissioners?

6 (NO RESPONSE)

7 CHAIRMAN: Hearing none the chair will call
8 for a motion.

9 Commissioner Ball.

10 MR. BALL: I would like to make a motion to
11 approve based on the Planning Staff's Recommendations
12 and Findings of Fact 1 through 4.

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

15 MS. VELOTTA: Second.

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

18 (NO RESPONSE)

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

21 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

22 CHAIRMAN: Motion carries.

23 ITEM 7

24 Portion of 3517 Pleasant Valley Road, 1.486 acres
25 Consider zoning change: From A-R Rural Agriculture to
R-1A Single-Family Residential
Applicant: Gary Boswell; Charles L. Lamar & Mary

1 Lamar

2 PLANNING STAFF RECOMMENDATIONS

3 The Planning Staff recommends approval subject
4 to the condition and findings of fact that follow:

5 CONDITION:

6 1. The subject area shall be consolidated
7 into an adjoining residential property zoned R-1A
8 Single Family Residential.

9 FINDINGS OF FACT:

10 1. Staff recommends approval because the
11 proposal is in compliance with the community's adopted
12 Comprehensive Plan;

13 2. The subject property is located in a Rural
14 Preference Plan Area, where rural small-lot
15 residential uses are appropriate in very limited
16 locations;

17 3. The subject area shall be consolidated
18 into the adjoining residential property, which will
19 have access to a public street, Oakridge Court;

20 4. The resulting property shall be large
21 enough to assure satisfactory operation of a
22 conventional septic tank system; and,

23 5. The proposed R-1A Single-Family
24 Residential zoning is a logical expansion of existing
25 R-1A zoning to the west and south.

1 MR. PEDLEY: We would like to enter the Staff
2 Report into the record as Exhibit G.

3 CHAIRMAN: Thank you, Trey.

4 Anybody in the audience representing the
5 applicant?

6 (NO RESPONSE)

7 CHAIRMAN: Anybody else that would like to
8 speak on this application?

9 MS. KNIGHT: Please state your name for the
10 record.

11 MR. TAYLOR: Devon Taylor.

12 (DEVON TAYLOR SWORN BY ATTORNEY.)

13 MR. TAYLOR: I live in Hilltop and we got
14 notice last night actually. Several of the neighbors
15 came to me. Several of them couldn't be here. They
16 didn't feel like they got ample notice. We don't know
17 exactly what this actually is. We wanted to see how
18 this is going to effect our neighborhood actually.

19 MR. PEDLEY: On the screen right now is a map
20 prepared by the surveyor. Basically it's a large farm
21 on Pleasant Valley Road right now. It's primarily
22 zoned agricultural. Most of Hilltop, specifically
23 Oakridge Court, is zoned R-1A Single-Family
24 Residential. Basically if you look at that map right
25 there, there's a small corner that is highlighted. I

1 can't remember which property is on Oakridge right
2 now, but they're wanting to purchase this almost an
3 acre and a half from the farm, but to do that they
4 have to go through the rezoning process; otherwise,
5 they'd be creating a split zone lot. So they're
6 rezoning this little portion to residential to
7 consolidate it into those residential properties.

8 MR. TAYLOR: Does it completely cut off any of
9 those other properties or is it just that yellow?
10 Like my property is that one that's kind of pie-shaped
11 there. Like is that literally where it stops there?

12 MR. PEDLEY: It's just that highlighted
13 portion.

14 MR. TAYLOR: I don't think that they would
15 have a problem with that. They only got a sticker on
16 their mailbox last night and it says it was the final
17 notice and nobody had gotten another notice. I think
18 that was their only question, is that nobody knew
19 anything about it.

20 MR. HOWARD: If you don't mind me asking, who
21 was that?

22 MR. TAYLOR: That got the notice?

23 MR. HOWARD: Yes.

24 MR. TAYLOR: That was Ms. Bird, and I
25 apologizes, I cannot remember her first name. She's

1 lives two doors down. Sorry, I'm drawing a blank.

2 MR. HOWARD: I was just curious. We've got
3 the letters here that went out. They went out
4 November 23rd by certified mail, return/received
5 requested. If they're not home, I guess they didn't
6 get it.

7 MR. TAYLOR: I got a sticker posted on my
8 mailbox last night that was dated November 30th from
9 the post office that said "final notice," but that was
10 the only sticker that I ever got. So nobody in our
11 neighborhood got any notices until last night. Ms.
12 Bird is retired so she stayed in her house and waited
13 for the post office to come yesterday to get hers.

14 MR. HOWARD: Just looking at it, Joseph Hardy,
15 Renee Stogner, William Adams, Timothy Martin, Robert
16 Martin, James Martin, et al, Kay Trunnel, Joseph
17 Sublett.

18 MR. TAYLOR: Those must be on, probably on
19 Reid Road.

20 MR. HOWARD: At least all of those people got
21 the notice ahead of time and returned. We can't speak
22 for the post office.

23 MR. TAYLOR: That's nobody in our
24 neighborhood.

25 MR. HOWARD: Fair.

1 MR. TAYLOR: This was Linda Bird.

2 MR. HOWARD: Her letters certainly went out on
3 time as required by state law.

4 Just so the board knows, they did go out as
5 far as the notice.

6 MR. TAYLOR: They're not disputing that
7 necessarily. It's just nobody really knew what was
8 going on. Obviously, that land behind our property
9 could significantly impact the value. We didn't
10 really know exactly what it even meant. I don't think
11 any of them would have an issue with that. That's
12 actually, the only one that touches is mine. I don't
13 have an objection to it.

14 CHAIRMAN: Thank you.

15 Anybody else have any questions or comments?

16 (NO RESPONSE)

17 CHAIRMAN: Any commissioners have any
18 questions?

19 (NO RESPONSE)

20 CHAIRMAN: Hearing none the chair will accept
21 a motion.

22 MR. ROGERS: Mr. Chairman, I'd like to make a
23 motion for approval based on the Planning Staff
24 Recommendation with the one condition and Findings of
25 Fact 1 through 5.

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

3 MR. STRODE: Second.

4 CHAIRMAN: Second by Commissioner Strode. Any
5 questions on the motion?

6 (NO RESPONSE)

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

9 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

10 CHAIRMAN: Motion carries.

11 ITEM 8

12 11143 Highway 56, 6.606 acres
13 Consider zoning change: From R-1A Single-Family
14 Residential to A-U Urban Agriculture
15 Applicant: Benedict A. O'Bryan

16 PLANNING STAFF RECOMMENDATION

17 The Planning Staff recommends approval subject
18 to the findings of fact that follow:

19 FINDINGS OF FACT:

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

23 2. The subject property is located in a Rural
24 Community Plan Area, where Agricultural/Forestry Uses
25 are appropriate in general locations;

 3. Agricultural topsoil will be conserved

1 through appropriate farming practices; and,

2 4. Any forested areas will be sustained

3 through appropriate forestry practices

4 MS. EVANS: We would like to enter the Staff
5 Report into the record as Exhibit H.

6 CHAIRMAN: Thank you, Melissa.

7 Is there anybody in the audience representing
8 the applicant?

9 (NO RESPONSE)

10 CHAIRMAN: Anybody in the audience that would
11 like to speak to this application?

12 (NO RESPONSE)

13 CHAIRMAN: Any commissioners have any
14 questions?

15 (NO RESPONSE)

16 CHAIRMAN: Hearing none the chair will accept
17 a motion.

18 Mr. Raque.

19 MR. RAQUE: Motion to approve based on
20 Planning Staff Recommendations and Findings of Fact 1
21 through 4.

22 CHAIRMAN: We have a motion. Do we have a
23 second?

24 MS. STEWART: Second.

25 CHAIRMAN: We have a second by Commissioner

1 Stewart. Any questions on the motion?

2 (NO RESPONSE)

3 CHAIRMAN: All in favor signify by raising
4 your right hand.

5 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

6 CHAIRMAN: Motion carries.

7 ITEM 9

8 7271 & 7232 Old Highway 60 West, 9.505 acres
9 Consider zoning change: From A-R Rural Agriculture
10 and R-1A Single-Family Residential to A-R Rural
Agriculture
11 Applicant: Joseph C. & Susan L. Truitt

12 PLANNING STAFF RECOMMENDATION

13 The Planning Staff recommends approval subject
14 to the condition and findings of fact that follow:

15 CONDITION:

16 1. Approval of a Minor Subdivision Plat to
17 consolidate the properties. Any new divisions shall
18 comply with the Owensboro Metropolitan Zoning
Ordinance and Subdivision Regulations.

19 FINDINGS OF FACT:

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

23 2. The subject properties are located in a
24 Rural Maintenance Plan Area, where Rural Large-Lot
25 Residential Uses are appropriate in limited locations;

1 3. The dwelling is located on its own
2 individual lot that fronts on a public road or street,
3 US Highway 60 W; and,

4 4. No new public roads or streets are
5 proposed with this zoning map.

6 MS. EVANS: We would like to enter the Staff
7 Report into the record as Exhibit I.

8 CHAIRMAN: Thank you, Melissa.

9 Is there anybody in the audience representing
10 the applicant?

11 (NO RESPONSE)

12 CHAIRMAN: Anybody else like to speak?

13 (NO RESPONSE)

14 CHAIRMAN: Any commissioners have any
15 questions?

16 (NO RESPONSE)

17 CHAIRMAN: Hearing none the chair will accept
18 a motion.

19 MR. STRODE: Mr. Chairman, I would like to
20 make a motion for approval based on Planning Staff
21 Recommendations and Condition 1 and Findings of Fact 1
22 through 4.

23 CHAIRMAN: We have a motion by Commissioner
24 Strode. Is there a second?

25 MS. STREHL: Second.

1 CHAIRMAN: Second by Commissioner Strehl. Any
2 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 MINOR SUBDIVISION PLATS

9 ITEM 10

10 7220 & 7232 Old Highway 54, 2.000 acres
11 Consider approval of a minor subdivision plat.
12 Applicant: Raymond E. & Emma L. Whistle

13 MR. HOWARD: This plat comes before you as an
14 exempt to the minimum road frontage on the three to
15 one requirements. There's an existing two acre
16 parcel. The proposal is to split it into two with one
17 of the parcels not meeting those minimum requirements,
18 with the note that the property can't be further
19 subdivided. Essentially you can't based on the zoning
20 and amount of acreage. We would recommend that you
21 consider it for approval.

22 CHAIRMAN: Anybody representing the applicant?

23 (NO RESPONSE)

24 CHAIRMAN: Any commissioners have any
25 questions?

 (NO RESPONSE)

1 CHAIRMAN: Hearing none the chair will accept
2 a motion.

3 MR. VELOTTA: Motion to approve.

4 CHAIRMAN: Motion by Commissioner Velotta. Do
5 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 -----

15 NEW BUSINESS

16 ITEM 11

17 Consider approval of October 2022 financial statements

18 CHAIRMAN: I think everybody received a copy
19 of the financial statement in their packet. Is there
20 any questions?

21 (NO RESPONSE)

22 CHAIRMAN: Hearing none the chair will accept
23 a motion.

24 MR. STRODE: Mr. Chairman, I make a motion to
25 approve the financial statements as presented.

1 CHAIRMAN: Motion by Commissioner Strode. Is
2 there a 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 ITEM 12

9 Comments by the Chairman

10 CHAIRMAN: The only thing I have to say
11 tonight is I wish everybody a Merry Christmas.

12 ITEM 13

13 Comments by the Planning Commissioners

14 CHAIRMAN: Commissioner Ball.

15 MR. BALL: I don't normally say anything here,
16 but I think we've got a good group here right now and
17 we have some tough things that are brought before us.
18 I think it's good that everybody is here. I think we
19 do a good job of acting on facts instead of opinion.
20 I just want to thank everybody for that.

21 CHAIRMAN: Thank you, Commissioner Ball.

22 Anybody else?

23 MS. STREHL: I would just like to note I was
24 not appreciative of the manner we were addressed by
25 the gentleman opposing the parking structure.

1 Everything, most things he said were raised on his
2 feelings and opinions and him challenging us to stand
3 up I thought was inappropriate and I think he should
4 have been called down. My personal opinion, I think
5 that was very inappropriate and I didn't it. Let that
6 be noted in the record.

7 CHAIRMAN: Thank you. Any other
8 commissioners?

9 (NO RESPONSE)

10 ITEM 14

11 Comments by the Director

12 MR. HOWARD: No thanks.

13 CHAIRMAN: It's pretty well over with. We
14 need one final motion.

15 MR. BALL: Motion to adjourn.

16 CHAIRMAN: Motion by Mr. Ball.

17 MR. RAQUE: Second.

18 CHAIRMAN: Second by Mr. Raque. All in favor
19 signify by raising your right hand.

20 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

21 CHAIRMAN: We are adjourned.

22 -----

23

24

25

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 66
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 2nd day of January 2023.

18

19

LYNNETTE KOLLER FUCHS
20 COMMISSION NO. KYNP63124
OHIO VALLEY REPORTING SERVICES
21 2200 EAST PARRISH AVE., SUITE 205-C
OWENSBORO, KENTUCKY 42303

22

23 COMMISSION EXPIRES: DECEMBER 16, 2026

24 COUNTY OF RESIDENCE: DAVIESS COUNTY, KY

25