

**ORDINANCE NO 2025-06
CITY OF OAK GROVE, KENTUCKY**

AN ORDINANCE APPROVING AND ADOPTING REZONING APPLICATION OGR25-1-1 CONCERNING ZONING REGULATIONS IN THE CITY OF OAK GROVE, KENTUCKY.

WHEREAS, rezoning application OGR25-1-1 concerns the rezoning of real property within the City of Oak Grove;

WHEREAS, the Oak Grove City Council is in receipt of the January 27, 2025 recommendations of the Community Development Services Board regarding rezoning application OGR25-1-1; and

WHEREAS, the Oak Grove City Council wishes to approve the rezoning requested in application OGR25-1-1.

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF OAK GROVE, KENTUCKY AS FOLLOWS:

SECTION I- REZONING OF PROPERTY

The City of Oak Grove, Kentucky approves the rezoning of property in accordance with application OGR25-1-1, as reviewed and recommended by Community Development Services. Specifically, the following properties set forth below are henceforth zoned B-2 (Arterial Commercial) District:

- a. 1.599 acres of Parcel I.D. 162-00 00 023.00, Christian County Property Valuation Administration.

A copy of rezoning application OGR25-1-1 review and recommendations by Community Development Services is attached hereto and incorporated herein by reference.

SECTION II- SEVERABILITY CLAUSE

The legislative body intends that this ordinance's provisions are severable and that the findings do not necessarily invalidate the entire ordinance if a part of it is invalid.

SECTION III-UNCONSTITUTIONALITY

Should any part of the ordinance be void or unconstitutional, the remaining ordinance shall remain in full force and effect.

SECTION IV- EFFECTIVE DATE

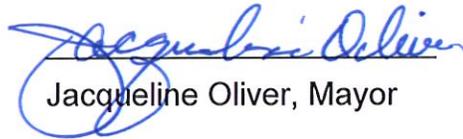
According to law, this ordinance shall take effect after its passage and publication.

Date of First Reading: February 4, 2025

Date of Second Reading: February 20, 2025

Date of Publication:

Ordinance published in: The Kentucky New Era


Jacqueline Oliver, Mayor

ATTEST: 

Lorelynn Fisher, City Clerk

The City of Oak Grove paid for this advertisement using taxpayers' dollars, which totaled \$ 290.10.

Certification

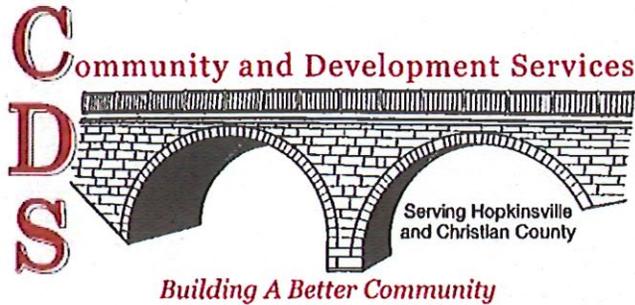
I, Lorelynn Fisher, do hereby certify that I am the duly appointed City Clerk of the City of Oak Grove, Kentucky and that the foregoing Ordinance is a true and correct copy of an ordinance duly adopted at a meeting of the City Council on February 20, 2025, that the Ordinance referred to therein is in the form presented to said meeting and in the form executed, and the said ordinance appears as a matter of public record in the Official City Ordinance Book and is in full force and effect.

IN TESTIMONY WHEREOF, witness my signature on this 14th day of March 2025.



State of Kentucky
County of Christian
The foregoing instrument was acknowledged before me 14 day of March 2025
Lisa L. Beckman
Your Name Here: Notary Public
My Commission Expires May 3, 2026


Lorelynn Fisher, City Clerk



MEMORANDUM

TO: Lorelynn Fisher, Oak Grove City Clerk
FROM: Beth Richardson, Planner I *BR*
RE: OGR25-1-1 Okaloosa, LLC (Walter Garrett Lane)
DATE: January 28, 2025

Meeting in a special called session on January 27, 2025, the Community and Development Services Board voted to favorably recommend to the Oak Grove City Council approval of the Rezoning Application OGR25-1-1 as requested below:

The applicant, Okaloosa, LLC (owner), is requesting the rezoning of a 1.599-acres portion of the property identified as Parcel I.D. Number 162-00 00 023.00 in the Office of the Christian County Property Valuation Administrator. The 1.599 acres are located off of the Southwest Quadrant of I-24 and Pembroke-Oak Grove Road (KY HWY 115) with frontage on Walter Garrett Lane. The affected property is approximately 1,327 feet (+/-) northwest of the intersection of Walter Garret Lane and Pembroke-Oak Grove Road (KY HWY 115). The property to be rezoned is currently zoned I-1 (Industrial) District. The applicant is requesting that the property described herein be zoned B-2 (Arterial Commercial) District.

Attached please find the following:

Exhibit A: Approved Staff Report OGR25-1-1
Exhibit B: Digital recording of the meeting

Please place this item on the City Council's agenda at your earliest convenience. If you have any questions or if you require any additional information, please do not hesitate to contact me.

BR

cc: Tom Britton
File
Correspondence

Community and Development Services

**Recommendation of Approval
Rezoning Application OGR25-1-1**

Pursuant to KRS 100.211 and the Oak Grove Code of Ordinances, Community and Development Services hereby recommends to the Oak Grove City Council approval of the Rezoning Application as filed by Okaloosa, LLC. (owner).

A Public Hearing to receive comments on OGR25-1-1 was held on January 27, 2025. A digital recording of all the testimony and exhibits presented is attached hereto collectively as Exhibit B and incorporated herein by reference.

CDS Staff recommended approval of OGR25-1-1 in its Staff Report, a copy of which is attached hereto as Exhibit A.

CDS adopts the findings of fact set forth in the Staff Review and Staff Recommendations sections of the Staff Report and specifically finds that the applicant's request conforms to the *City of Oak Grove Comprehensive Plan, 2018*.

All members of the CDS Board were present for the vote, constituting a quorum. By a vote of 11 to 0, the approval of OGR25-1-1 was recommended by Community and Development Services on January 27, 2025.

Community and Development Services Board

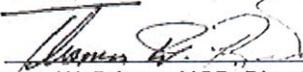
By 
Thomas W. Britton, AICP, Director

EXHIBIT A

COMMUNITY AND DEVELOPMENT SERVICES
STAFF REPORT

TYPE: Rezoning

APPLICATION NO: OGR25-1-1

PETITIONER/(PROPERTY OWNERS): Okaloosa, LLC

ADDRESS: 458 North Main Street, Madisonville, Kentucky 42431

LOCATION OF PROPERTY: The recently divided 1.599 acres (recorded in Plat Cabinet 13, Page 92, in the office of the Christian County, Kentucky Clerk) is located off of the Southwest Quadrant of I-24 and Pembroke-Oak Grove Road (KY HWY 115) with frontage on Walter Garrett Lane in Oak Grove, Kentucky.

REQUEST: The applicant, Okaloosa, LLC (owner), is requesting the rezoning of a 1.599-acre portion of the property identified as Parcel I.D. Number 162-00 00 023.00 in the Office of the Christian County Property Valuation Administrator. The 1.599 acres are located off of the Southwest Quadrant of I-24 and Pembroke-Oak Grove Road (KY HWY 115) with frontage on Walter Garrett Lane. The affected property is approximately 1,327 feet (+/-) northwest of the intersection of Walter Garret Lane and Pembroke-Oak Grove Road (KY HWY 115). The property to be rezoned is currently zoned I-1 (Industrial) District. The applicant is requesting that the property described herein be zoned B-2 (Arterial Commercial) District.

STAFF REVIEW:

A. EXISTING LAND USE: Agricultural

B. PROPOSED LAND USE: Commercial (cannabis dispensary and other uses)

C. EXISTING ZONING: I-1 (Industrial District)

SURROUNDING ZONING: North: Unzoned (Outside the Corporate Limits of Oak Grove)
South: B-2 (Arterial Commercial District)
East: B-2 (Arterial Commercial District)
West: I-1 (Industrial District)

D. SURROUNDING LAND USE: Agricultural/Commercial

E. TRAFFIC CONDITIONS: The property is located on Walter Garrett Lane off of Pembroke-Oak Grove Road (KY 115). The property is currently used for agricultural purposes. Kentucky Hwy 115 is classified as a Minor Arterial. The traffic count for Kentucky 115 north of the property were 3,444 trips per day (KYTC, 2018).

The current zoning designation is I-1 (Industrial District). The intent of this district is to allow industries of a manufacturing and related character to locate in acceptable areas in the City. The

location should be of convenient access to present and future arterial thoroughfares, highways and railway lines. It is further intended that this district be separated from residential areas by business districts as natural barriers to provide a transition between industrial and non-industrial uses.

Possible land uses that fit into the property's current zoning classification of I-1 (Industrial District) are included in the chart below:

Land Use Classification	Rate per Acre Per Weekday
Heavy Truck Terminals	81.90
Manufacturing	38.88
Utilities	2.49
Warehousing	57.23

Trip Generation Manual, Institute of Transportation Engineers, 7th Edition, 2003

The applicant has requested that the property be zoned B-2 (Arterial Commercial District). The intent of this district is to provide complementary office, financial, governmental and cultural activity establishments in addition to commercial activities which cater specifically to motor vehicle oriented trade. It is also intended to provide appropriate space, adequate parking, sufficient depth from the street, controlled access points and orderly and concentrated development.

Possible land uses that fit into the property's proposed zoning classification of B-2 (Arterial Commercial District) are included in the chart below:

Land Use Classification	Rate per Acre Per Weekday
Office Park	195.11
Business Park	149.79

Land Use Classification	Rate Per Vehicle Fueling Station Per Weekday
Gasoline/Service Station with Convenience Market	162.78
Convenience Market with Gasoline Pumps	542.60

Land Use Classification	Rate per 1,000 Sq. Feet Gross Leasable Area Per Weekday
Specialty Retail Center	44.32

Trip Generation Manual, Institute of Transportation Engineers, 7th Edition, 2003

The site is being considered for location of a Cannabis Dispensary as well as other retail uses. As a result, it is anticipated that traffic generation will be distributed among ingress/egress points on Walter Garrett Lane. To date no final plans have been submitted for a proposed development.

F. INFRASTRUCTURE (SERVICE): (See Department Head Comments)

G. COMPREHENSIVE PLAN: The Oak Grove Comprehensive Plan includes the following goals and objectives relevant to the proposed use of this property:

Land Use and Design Goals and Objectives

The Oak Grove Comprehensive Plan notes the following with respect to Commercial Land Use:

- Commercial activity will be concentrated along Highway 41A. Highway 41A is predominately commercial and will continue to develop as a service retail area for Ft. Campbell.
- The commercial activity will continue to develop at intersections where major arteries intersect, such as Kentucky 911 and Highway 41A, I-24 and Highway 41A, and Kentucky 115 and Stateline Road. 90
- Commercial activities are an enormous mainstay to the City economy as a result of Ft. Campbell. The ability of businesses to prosper is directly related to the proximity to the Post..”(Oak Grove Comprehensive Plan, pg. 115)

The 2018 Oak Grove Goals and Objectives identify the following with respect to Land Use:

“Goal No. 7 To encourage buffering and transitional uses when non-compatible land uses are unavoidable:

- A. By requiring that non-residential activities be buffered when they abut residential areas.
- B. By reviewing all commercial and non-commercial developments emphasizing the following standards:
 - 1. scale,
 - 2. dimension,
 - 3. drainage,
 - 4. setbacks,
 - 5. access points,
 - 6. internal traffic flow,
 - 7. parking,
 - 8. lighting, and
 - 9. buffering

- C. By giving special attention to sites containing historical, archeological, or landmark values.
- D. By prohibiting heavy traffic through low density residences.

Goal No. 8 To maintain compatibility between residential densities through:

- A. Screening,
- B. Buffering,
- C. Open Space,
- D. Planned Unit Development, and
- E. Transition zones which allow gradual increase or decrease in housing density.”
- F. Traffic Impact studies

The Future Land Use Map denotes this area as agricultural.

H. RECENT PHYSICAL, SOCIAL OR ECONOMIC CHANGES: Beginning in the early to mid-1990s, the City of Oak Grove has experienced substantial residential growth. In recent years, residential growth has continued albeit at a slightly slower rate.

In anticipation of continued growth, the City of Oak updated its comprehensive plan in 2018. This was followed by an update (rewrite) of the city’s zoning ordinance in 2021.

It is anticipated that growth will continue to include residential, commercial, and potentially industrial development. Improvements to KY 911, longer term planned improvement to KY 115, and continued improvements to the city’s water and sewer system will aid continued growth. Additional, the City of Oak Grove has recently paved Walter Garrett Lane in anticipation of future growth.

In recent years, commercial growth has increased in the general area where KY 115 meets the Interstate. In addition, the CDS Board recently approved a rezoning from I-1 to B-2 on a large portion of a tract along the north east quadrant of the I-24 and KY 115.

I. APPROPRIATENESS OF ORIGINAL ZONING:

In 2021, the City of Oak Grove updated its zoning ordinance and zoning map. The updated map, specifically the depiction of the subject property, was unchanged from the previous zoning map (i.e. I-1 zoning).

Standards applicable under the existing and proposed zoning are listed below:

I-1 INDUSTRIAL DISTRICT

“The intent of this district is to allow industries of a manufacturing and related character to locate in acceptable areas in the City. The location should be of convenient access to present and future

arterial thoroughfares, highways and railway lines. It is further intended that this district be separated from residential areas by business districts as natural barriers to provide a transition between industrial and non-industrial uses.”

1. Building Site Area: There is no minimum required building site area.
2. Building Site Width: There is no minimum required building site width.
3. Building Site Coverage: The total lot coverage by all buildings on the site shall not exceed sixty (60) percent of the lot area.
4. Building Height Limit: The maximum building height limit shall not exceed sixty (60) feet in height.
5. Setback Requirements:
 - Front yard Forty (40) feet;
 - Rear yard Ten (10) feet; shall be provided unless the district abuts a residential district, then the rear yard shall be twenty-five (25) feet not including loading and docking facilities; and
 - Side yard Ten (10) feet; on each side shall be provided unless the district abuts a residential district, then the side yard shall be twenty (20) feet, not including loading and docking facilities.

The minimum requirement for yards fronting roads under the jurisdiction of the State of Kentucky or Hugh Hunter Road shall not be less than sixty (60) feet.

B-2 ARTERIAL COMMERCIAL DISTRICT

“The intent of this district is to provide complementary office, financial, governmental and cultural activity establishments in addition to commercial activities which cater specifically to motor vehicle oriented trade. It is also intended to provide appropriate space, adequate parking, sufficient depth from the street, controlled access points and orderly and concentrated development.

1. Building Site Area: There is no minimum required building site area (nonresidential uses).
2. Building Site Width: There is no minimum required building site width (nonresidential uses).
3. Building Site Coverage: The total lot coverage by all buildings on the site shall not exceed fifty-five (55) percent of the lot area.
4. Building Height Limit: The maximum building height limit shall not exceed seventy (70) feet in height.
5. Setback Requirements:
 - Front yard Forty (40) feet;
 - Rear yard Twenty (20) feet; and

Side yard Seven (7) feet

The minimum requirement for yards fronting roads under the jurisdiction of the State of Kentucky or Hugh Hunter Road shall not be less than sixty (60) feet.

J. FLOOD AND DRAINAGE: The City of Oak Grove's Flood Damage Prevention Ordinance is applicable to this property upon development.

The property is also subject to the city's storm water management ordinance (see Ordinance 2016-01). A stormwater management plan has not been submitted at this time.

K. SOIL ANALYSIS: N/A

L. UNIQUE FEATURES: The previous owner submitted a minor subdivision plat to Community and Development Services for review and approval. It has been recorded and the 1.599 acres has been deeded to Okaloosa, LLC.

According to the application, the applicant is proposing a development which will include a cannabis dispensary.

A traffic impact study is required by Section 6.10 for significant developments. Based on comments from the Kentucky Transportation Cabinet and the city a traffic impact study may be warranted; however, based on traffic generation per acre it may not trigger a traffic impact study based on Section 6.10 of the Oak Grove Zoning Ordinance. A determination of traffic study applicability will be made by the City at the time of site plan application.

DEPARTMENT HEAD COMMENTS: As part of this review, comments were solicited from the city's departments and agencies.

Oak Grove Mayor: No comments have been received as of yet. However, once comments are received, they will be made a part of this Site Review and shall be taken into account by the property owner/developer.

Oak Grove Police Department: *"I have reviewed the plans and have no concerns."*

Oak Grove Fire Department: No comments have been received as of yet. However, once comments are received, they will be made a part of this Site Review and shall be taken into account by the property owner/developer.

Oak Grove Public Works Department: *"I have reviewed the plans and have no concerns."*

Oak Grove Water Department: No comments have been received as of yet. However, once comments are received, they will be made a part of this Site Review and shall be taken into account by the property owner/developer.

Soil Conservation Office: No comments have been received as of yet. However, once comments are

received, they will be made a part of this Site Review and shall be taken into account by the property owner/developer.

KYTC: (please see attached)

HWEA: (please see attached).

Pennyrile Rural Electric: No comments have been received as of yet. However, once comments are received, they will be made a part of this Site Review and shall be taken into account by the property owner/developer.

E911: *"I have reviewed the plans and have no concerns."*

AT&T: No comments have been received as of yet. However, once comments are received, they will be made a part of this Site Review and shall be taken into account by the property owner/developer.

Fort Campbell U.S. Army Base: *"I have reviewed the plans and have no concerns."*

STAFF REVIEW

KRS 100 provides that the rezoning of property must be in agreement with the comprehensive plan or, in the absence of such finding, that one or more of the following apply:

1. That the existing zoning classification given to the property is inappropriate and the proposed zoning classification is appropriate; or
2. That there have been major changes of an economic, physical, or social nature within the area involved which were not anticipated in the adopted comprehensive plan and which have substantially altered the basic character of such area.

Conformity with the Comprehensive Plan

The Staff has reviewed the request for its conformity with the *City of Oak Grove Comprehensive Plan, 2018*. The plan, in general, encourages the development of commercial uses along major arterials.

The plan's future land use map denotes the affected property under this rezoning as agricultural. The Comprehensive Plan states, *"As the City grows, new types of land uses will become prevalent such as residential and commercial land changes"*. The zoning map, denotes the property I-1 (Industrial) District. However the Comprehensive states that, *"The commercial activity will continue to develop at intersections where major arteries intersect, such as Kentucky 911 and Highway 41A, I-24 and Highway 41A, and Kentucky 115 and Stateline Road."* (OGCP Projections, Land Use).

The Staff does believe the rezoning of the applicant's property as described to be in agreement with the comprehensive plan. The rezoning request of a B-2 would be in some, but not all respects, less intense than industrial development. In addition, the proximity of the site to a major roadway (KY 115) and interstate (I-24) make the property more conducive to commercial development.

The Appropriateness of Original Zoning

In the application, the applicant wrote concerning the appropriateness of the original zoning, "*The lot is north and adjacent to current B-2 zoning and due to its proximity and location should be rezoned to B-2.*" The Staff notes that the comprehensive plan was adopted in 2018 and the zoning map affecting the property was adopted in 2021. The Staff believes the original zoning of the property was appropriate at the time; however, with the continued growth of Oak Grove and the close proximity to Interstate 24, expansion of the B-2 District for commercial activity along or near KY 115 may be more appropriate.

Recent Physical, Social, and Economic Changes

The staff believes that the Kentucky Transportation Cabinet's plan to improve KY 115 from the I-24 Interchange to Pembroke, the recent paving of Walter Garrett Lane, and the recent rezoning from I-1 to B-2 along KY 115 and I-24 to the north could be justification that warrant a rezoning to expand the B-2 District in this area.

Finally, the Staff has considered this request in terms of spot zoning. Tests for Spot Zoning include:

1. The use permitted under rezoning is very different from the use in the area.
2. The area involved is rather small, and
3. The changes to a less restrictive district are not for the benefit of the community as a whole, but merely in order to provide an advantage for a specific developer (American Land Use Law).

The Staff notes that the requested B-2 zoning, as presented, is consistent with development and zoning in the general vicinity, the subject property is adjacent to currently zoned B-2 properties and is in close proximity to a major highway. Therefore, the staff believes the request does not constitute spot zoning.

STAFF RECOMMENDATION

The staff has analyzed the proposed zoning request in accordance with KRS 100 and will evaluate the testimony presented during a public hearing to be held on January 27, 2025. The staff is forwarding a tentative favorable recommendation based on information contained in the application and based on staff review. This tentative recommendation does not consider information which may be provided as part of the public hearing for this request.



VICINITY MAP

GENERAL NOTES:

1. THIS PLAN IS A PRELIMINARY DESIGN AND IS SUBJECT TO CHANGE WITHOUT NOTICE.
2. THE DESIGNER HAS CONDUCTED VISUAL INSPECTIONS OF THE SITE AND HAS FOUND NO OBVIOUS OBSTACLES TO THE PROPOSED WORK.
3. THE DESIGNER HAS CONDUCTED VISUAL INSPECTIONS OF THE SITE AND HAS FOUND NO OBVIOUS OBSTACLES TO THE PROPOSED WORK.
4. THE DESIGNER HAS CONDUCTED VISUAL INSPECTIONS OF THE SITE AND HAS FOUND NO OBVIOUS OBSTACLES TO THE PROPOSED WORK.
5. THE DESIGNER HAS CONDUCTED VISUAL INSPECTIONS OF THE SITE AND HAS FOUND NO OBVIOUS OBSTACLES TO THE PROPOSED WORK.

COMMISSIONER'S CERTIFICATION

I hereby certify that the above described project is in accordance with the provisions of the Florida Statutes and the rules of the Department of Transportation.

[Signature]

CERTIFICATE OF AGENCY

I hereby certify that the above described project is in accordance with the provisions of the Florida Statutes and the rules of the Department of Transportation.

[Signature]

OWNER'S CERTIFICATION

I hereby certify that the above described project is in accordance with the provisions of the Florida Statutes and the rules of the Department of Transportation.

[Signature]

FLOOD CERTIFICATION

I hereby certify that the above described project is in accordance with the provisions of the Florida Statutes and the rules of the Department of Transportation.

[Signature]

ASSOCIATED ENGINEERS, INC.

11000 W. US HWY 90, SUITE 100, OKALOOSA, FL 32447

TEL: 904.863.1100 FAX: 904.863.1101

WWW.ASSOCIATEDENGINEERS.COM

SEAL

REGISTERED PROFESSIONAL ENGINEER

STATE OF FLORIDA

NO. 12345

EXPIRES 12/31/2024

Beth Richardson

From: Melissa McCarty
Sent: Thursday, January 9, 2025 11:48 AM
To: Beth Richardson
Subject: FW: OGR25-1-1 PCJ Farms, LLC/Okaloosa, LLC Site Plan - Please review
Attachments: Dept Head memo.pdf

Please see email below.

From: Franklin, Taylor (KYTC-D02) <Taylor.Franklin@ky.gov>
Sent: Tuesday, December 17, 2024 2:18 PM
To: Melissa McCarty <mmccarty@comdev-services.com>
Cc: Gentry, Kevin D (KYTC-D02) <Kevin.Gentry@ky.gov>; Higgins, Jeff (KYTC-D02) <jeff.higgins@ky.gov>; Krueger, Larry S (KYTC-D02) <Larry.Krueger@ky.gov>
Subject: RE: OGR25-1-1 PCJ Farms, LLC/Okaloosa, LLC Site Plan - Please review

Melissa,

Depending on the size of the development that occupies this parcel, KYTC would recommend that Community and Development Services consider requiring a traffic impact study if it meets the KYTC thresholds for one (more than 100 trips generated during the peak hour). There are several developments planned in the area and requiring a traffic impact study may help ensure that a proper infrastructure is built and gives KYTC good data as we design the KY 115 project.

Thanks,
Taylor

From: Melissa McCarty <mmccarty@comdev-services.com>
Sent: Tuesday, December 17, 2024 10:48 AM
To: Brian Ahart <brian.ahart@oakgroveky.org>; Chief Bill Johnson <firedepartment@oakgroveky.org>; Chief Dennis Cunningham <cunninghamd@oakgroveky.org>; Chris Brown (christopher.i.brown18.civ@army.mil) <christopher.i.brown18.civ@army.mil>; David Blane <dblane@hwea-ky.com>; David Carroll <dcarroll@comdev-services.com>; Josh Johnson <jjohnson@precc.com>; Gentry, Kevin D (KYTC-D02) <Kevin.Gentry@ky.gov>; Leslie Fourqurean <leslie.fourqurean@ky.nacdnet.net>; Mayor Jackie Oliver <jackie.oliver@oakgroveky.org>; Michael Forrest <mf6322@gt.com>; Oak Grove Water Department <water@oakgroveky.org>; Franklin, Taylor (KYTC-D02) <Taylor.Franklin@ky.gov>
Cc: Beth Richardson <BRichardson@comdev-services.com>; Tom Britton <tbritton@comdev-services.com>
Subject: OGR25-1-1 PCJ Farms, LLC/Okaloosa, LLC Site Plan - Please review

"CAUTION" PDF attachments may contain links to malicious sites. Please contact the COT Service Desk ServiceCorrespondence@ky.gov for any assistance.

Good morning, everyone,

Please review the attached documents in your area of expertise and provide any comments to this office within five (5) business days.

If we do not receive comments within this time frame, we will assume you have no concerns and will proceed accordingly.

HOPKINSVILLE WATER ENVIRONMENT AUTHORITY

Review Comments
For
Community & Development Services (CDS)

REZONING

PCJ FARMS, LLC
7515 PEMBROKE-OAK GROVE ROAD
OAK GROVE, KY

This document is based on a review of the minor plat prepared by Associated Engineers, Inc. and dated December 10, 2024.

The HWEA review comments for the submittal are as follows:

- 1. Any modifications to or discharge into the Publicly Owned Treatment Works shall be in full compliance with the most recent edition of the City of Hopkinsville, Code of Ordinances, Title 5 - Public Works, Chapters 51, 52, and 53.
- 2. Prior to construction, the Property Owner and/or Developer shall coordinate with HWEA regarding the location, size, and capacity of the existing sanitary sewer utility.
- 3. In order to ensure proper utility coordination, the Property Owner and/or Developer shall contact HWEA who owns the sanitary sewer utility and the City of Oak Grove who owns the water utility.
- 4. HWEA reserves comments until sanitary sewer construction plans have been developed and properly submitted. The Design Engineer should contact HWEA for proper utility coordination.
- 5. The Property Owner and/or Developer shall not locate any structure within a public utility easement(s).
- 6. The Property Owner and/or Developer will be responsible for all applicable tap and service fees as listed in the most current edition of *HWEA – Oak Grove Division – Fee Schedule*.

Page 1 of 2

S:\Private Share\Engineering Construction & Distribution\Engineering\CDS Planning Reviews & Projects\CDS\2024\118-2024 - OG - PCJ Farms - Rezoning - GTB\12182024 CDS 118-2024 OG - PCJ Farms - Rezoning.docx

EXCELLENCE – INTEGRITY – COMMUNITY

- 7. The Property Owner and/or Developer will be responsible for acquiring all Easements and Permits which are necessary for sanitary sewer utility service.
- 8. The wastewater discharge from the facility must comply with HWEA's Fat-Oils-Grease (FOG) Program. Contact Kim Schoen, HWEA Environmental Compliance Coordinator, at kschoen@hwea-ky.com for additional information.
- 9. Kentucky "Call Before You Dig" Law requires that everyone who digs to contact Kentucky 811 (aka One Call Concepts) and other applicable utility agencies which may have underground utilities, on or contiguous to the site, at least two (2) full business days before starting a project.

The HWEA does not participate in the Kentucky 811 (One Call Concepts) Program in Christian County, with the exception of the US-41A corridor from Fort Campbell Gate # 05 to Crenshaw Boulevard. Request for field locates of HWEA utilities shall be directed as follows:

HWEA business hours – T # 270-887-4246

- 10. HWEA reserves the right to change, revise, or modify these comments as more information on the subject development is received.
- 11. HWEA has the following additional review comments:
 - A. Sanitary sewer utility service is not available to Lot 2 or the remainder of the PCJ Farms, LLC Property.
 - B. If sanitary sewer service is needed, the Owner/Developer will be responsible for construction of a public sanitary sewer extension to serve this property. The design and construction shall follow the *HWEA Protocol for the Design and Construction of Sanitary Sewer Utility Extensions*.
 - C. Any questions and/or comments regarding this document should be directed to Mr. W. David Blane, Director of Engineering, Construction, and Distribution at dblane@hwea-ky.com.

END OF DOCUMENT

EXHIBIT B

AFFP

2025-06 Ordinance

Affidavit of Publication

STATE OF KY }
COUNTY OF CHRISTIAN } SS

nullnullnull

Melanie Miller, being duly sworn, says:

That she is Accounting Clerk of the Kentucky New Era, a newspaper of general circulation, printed and published in Hopkinsville, Christian County, KY; that the publication, a copy of which is attached hereto, was published in the said newspaper on the following dates:

March 01, 2025

Publisher's Fee: \$ 290.40

That said newspaper was regularly issued and circulated on those dates.

SIGNED:



Subscribed to and sworn to me this 1st day of March 2025.





00007747 71172193

LORELYNN FISHER
City of Oak Grove
8505 Pembroke Oak Grove Rd
Oak Grove, KY 42262