CITY HALL
Administration

517 North Main Street
Nicholasville, Kentucky 40356
859-885-1121

CERTIFICATION OF ORDINANCE

ORDINANCE 205-2025

I, Kathy Walker, certify I am the duly qualified City Clerk of the City of Nicholasville, Kentucky and the foregoing **sixty (60) pages** of Ordinance 205-2025 is a true, correct and complete copy duly adopted by the City Commission at a duly convened meeting held on October 13, 2025 all as appears in the official records of said city.

Further, said Ordinance, 205-2025, was published in The Jessamine Journal, as required by KRS 83A.060(9), October 23, 2025.

WITNESS, my hand and the Seal of the City of Nicholasville, this 15th day of December 2025.

Kathy Walker
City Clerk

Seal

RECEIVED AND FILED
DATE September 29th
2026
MICHAEL G. ADAMS
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Jaime Phillips

ORDINANCE 205-2025

AN ORDINANCE ESTABLISHING A DECREE OF ANNEXATION OF 82.61 ACRES OF REAL PROPERTY LOCATED AT 3213 LEXINGTON ROAD/US 27 (DWH PROPERTIES, LLC PROPERTY – PVA PARCEL NO. 067-00-00-028.00) INTO THE CITY OF NICHOLASVILLE, KENTUCKY

WHEREAS, on November 11, 2024, the landowner consented in writing to the annexation pursuant to KRS 81A.412, thereby making the adoption of an Ordinance of Intent to Annex unnecessary; and

WHEREAS, the landowner submitted to the City of Nicholasville the consent for annexation of all property known and described in Exhibit "A" Annexation Legal Description; and

WHEREAS, the property described in Exhibit "A" was adjacent or contiguous to the city's boundaries at the time the annexation proceeding was begun; and

WHEREAS, the property is urban in character or suitable for development for urban purposes without unreasonable delay; and

WHEREAS, the City of Nicholasville is desirous of extending its corporate city limits by annexing the property known and described in Exhibit "A" and it is deemed in the best interest of the City to annex same; and

WHEREAS, the Jessamine County Judge/Executive and the Jessamine Fiscal Court were given written notice on May 27, 2025, pursuant to KRS 81A.412(2).

BE IT ORDAINED BY THE CITY OF NICHOLASVILLE that based on the findings in the aforesaid preambles which are incorporated by reference the property described in Exhibit "A" is annexed into the City Limits of the City of Nicholasville, Jessamine County, Kentucky and a map is attached hereto and identified as Exhibit "B", in accordance with KRS 81A.420.

FIRST READING (INTRODUCTION): September 22, 2025

SECOND READING AND ADOPTION: October 23, 2025

Alex Carter, Mayor

ATTEST:

Kathy Walker, City Clerk

ORDINANCE 205-2025

AN ORDINANCE ESTABLISHING A DECREE OF ANNEXATION OF 82.61 ACRES OF REAL PROPERTY LOCATED AT 3213 LEXINGTON ROAD/US 27 (DWH PROPERTIES, LLC PROPERTY – PVA PARCEL NO. 067-00-00-028.00) INTO THE CITY OF NICHOLASVILLE, KENTUCKY

This Ordinance annexes 82.61 acres of real property located at 3213 Lexington Road/U.S. 27 into the City of Nicholasville, Kentucky.

NOTICE OF ENACTMENT OF ORDINANCE

Notice is hereby given that on October 13, 2025, the Nicholasville City Commission enacted an ordinance, the full text of which is available for inspection in the office of the City Clerk, 517 North Main Street, Nicholasville, KY. The ordinance by title and summary: ORDI-

Public Notices

NANCE 205-2025: AN ORDINANCE ESTABLISHING A DECREE OF ANNEXATION OF 82.61 ACRES OF REAL PROPERTY LOCATED AT 3213 LEXINGTON ROAD/US 27 (DWH PROPERTIES, LLC PROPERTY – PVA PARCEL NO.067-00-00-028.00) INTO THE CITY OF NICHOLASVILLE, KENTUCKY. (This Ordinance annexes 82.61 acres of real property located a 3213 Lexington Road/US 27 into the City of Nicholasville, Kentucky.)
Kathy Walker, City Clerk
October 23, 2025

Jessamine Journal:
Oct. 23, 2025
ORDINANCES 10.13.25

LEGAL DESCRIPTION

PARCEL A

A certain tract of land located in Jessamine County, Kentucky, situated along US 27, Lexington Road near the City of Nicholasville, and being more particularly described as follows:

The **POINT OF BEGINNING, (P.O.B.)** at an Iron Pin and Cap, in the existing right of way of US 27, Lexington Road, 100.02 feet left of centerline station 253+92.05, corner to lands of Joseph Clay Leavell and Sarah Marie Leavell, thence leaving the lands of Joseph Clay Leavell and Sarah Marie Leavell and continuing with the existing right of way of US 27, Lexington Road;

South 21°55'17" West 344.35 feet to an Iron Pin and Cap, 100 feet left of centerline station 250+50, thence;

South 15°20'42" West 351.12 feet to an Iron Pin and Cap, 80 feet left of centerline station 247+00, thence;

South 18°33'26" West 200.00 feet to an Iron Pin and Cap, 80 feet left of centerline station 245+00, thence;

South 25°23'58" West 251.81 feet to an Iron Pin and Cap, 110 feet left of centerline station 242+50, thence;

South 16°15'59" West 250.19 feet to an Iron Pin and Cap, 100 feet left of centerline station 240+00, thence;

South 07°14'42" West 101.96 feet to an Iron Pin and Cap, 80 feet left of centerline station 239+00, thence;

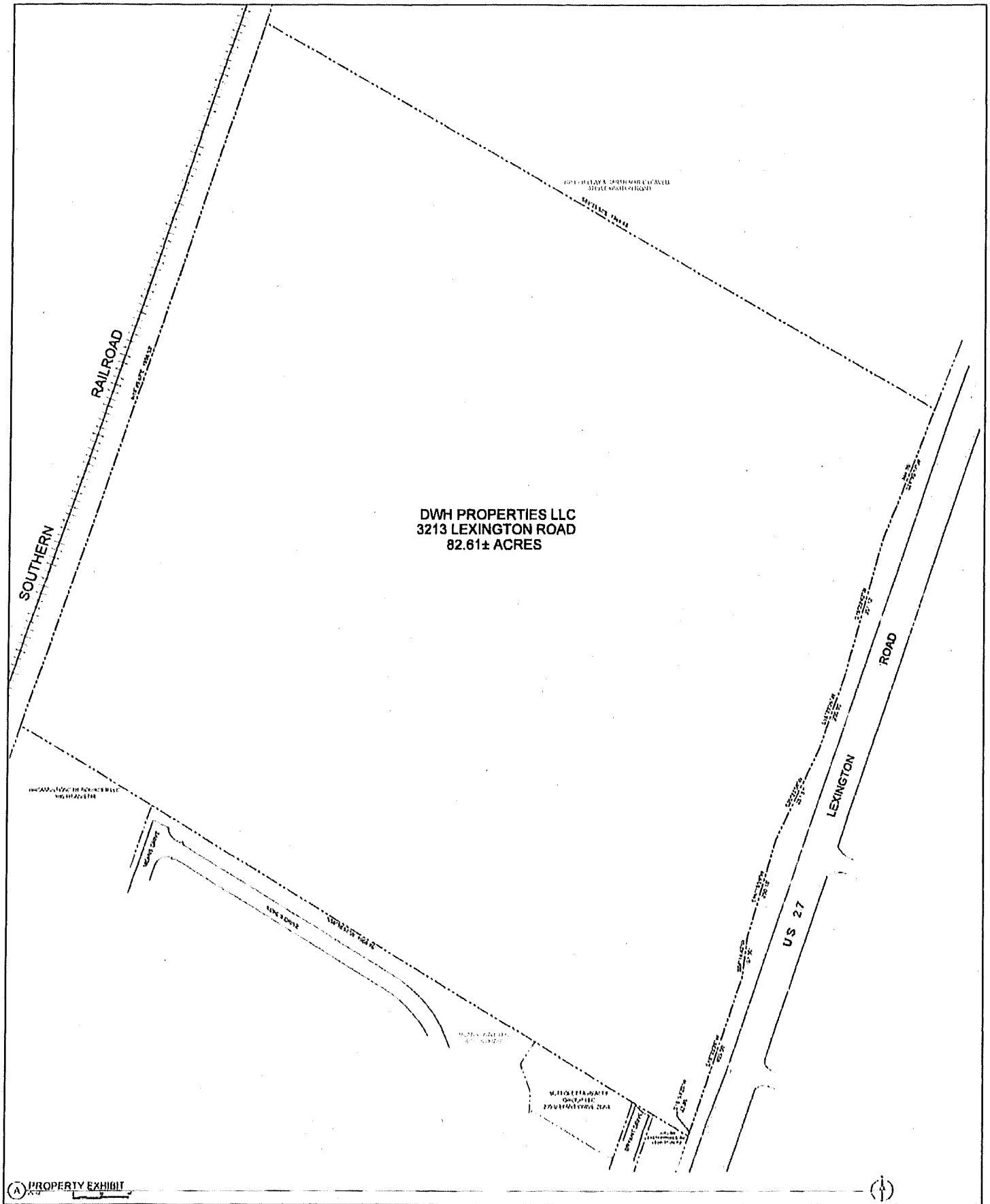
South 18°33'26" West 400.00 feet to an Iron Pin and Cap, 80 feet left of centerline station 235+00, thence;

South 18°53'25" West 22.86 feet to an Iron Pin and Cap, 80 feet left of centerline station 234+77.14, corner to lands of MAN 'O WAR DEVELOPMENT, LLC #3 (Plat Cabinet 9, Slide 98) (D.B. 483, PG. 37), thence leaving the existing right of way of US 27, Lexington Road with lands of MAN 'O WAR DEVELOPMENT, LLC #3, in part, (Plat Cabinet 9, Slide 98) (D.B. 483, PG. 37) and lands of COMMERCE CENTER UNIT 2, in part, (Plat Cabinet 11, Slide 655);

North 58°36'57" West 1966.96 feet to an Iron Pin and Cap, in the existing right of way of Southern Railroad, thence leaving lands of COMMERCE CENTER UNIT 2, and continuing with the existing right of way of Southern Railroad;

North 18°45'47" East 1858.53 feet to an Iron Pin and Cap, corner to lands of Joseph Clay Leavell and Sarah Marie Leavell, thence leaving the existing right of way of Southern Railroad, and continuing with the lands of Joseph Clay Leavell and Sarah Marie Leavell;

South 60°15'30" East 1948.88 feet to the **POINT OF BEGINNING (P.O.B.)** containing 82.61± Acres of land and being the remaining property conveyed to DWH PROPERTIES, LLC, from Dorothy Wilder Howard, by deed, dated January 2, 2007 and recorded in Deed Book 593, Page 261, in the Jessamine County Clerk's Office.



PROPERTY EXHIBIT

PROPERTY EXHIBIT

DWH PROPERTIES LLC
3213 LEXINGTON ROAD
NICHOLASVILLE, KENTUCKY

CMW

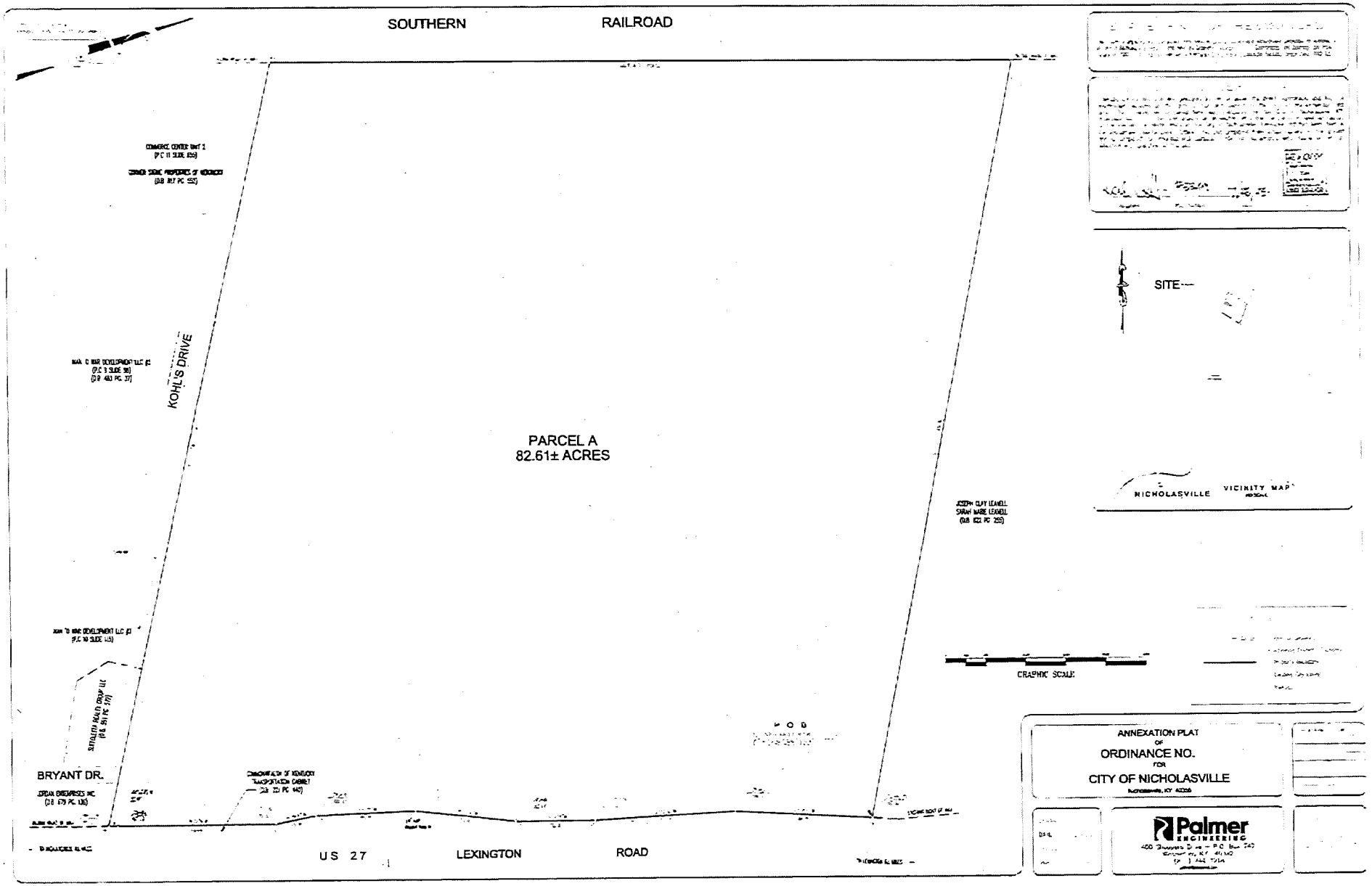

SOUTHERN RAILROAD
KOHL'S DRIVE
PARCEL A
82.61± ACRES
BRYANT DR.
US 27 LEXINGTON ROAD
SITE
NICHOLASVILLE VICINITY MAP
GRAPHIC SCALE
ANNEXATION PLAT
OF
ORDINANCE NO.
FOR
CITY OF NICHOLASVILLE
Palmer ENGINEERING

EXHIBIT B

DEED DESCRIPTION

Annexation

Ordinance No. 194-2025

City of Nicholasville, Kentucky

PARCEL A

A certain parcel of land situated along US 27, Lexington Road, in Jessamine County, Kentucky and joining the City of Nicholasville, and being more particularly described as follows:

The **Point of Beginning (P.O.B.)** at Kentucky State Plane (NAD 83) Single Zone coordinate of Northing = 3869841.818 and Easting = 5268685.923, Latitude = 37°56'41.34343" N and Longitude = 84°32'42.23582" W, said point being contiguous with the City of Nicholasville's existing city limit boundary, a corner to Joseph Clay Leavell, in the existing right of way of US 27, Lexington Road, 100.02 feet left of centerline station 235+92.05, thence leaving Joseph Clay Leavell and continuing with the existing line of City of Nicholasville and the existing right of way of US 27, Lexington Road;

South 21°55'17" West 344.35 feet to an Iron Pin and Cap, 100 feet left of centerline station 250+50, thence;

South 15°20'42" West 351.12 feet to an Iron Pin and Cap, 80 feet left of centerline station 247+00, thence;

South 18°33'26" West 200.00 feet to an Iron Pin and Cap, 80 feet left of centerline station 245+00, thence;

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South 07°14'42" West 101.96 feet to an Iron Pin and Cap, 80 feet left of centerline station 239+00, thence;

South 18°33'26" West 400.00 feet to an Iron Pin and Cap, 80 feet left of centerline station 235+00, thence;

South 18°53'25" West 22.86 feet to an Iron Pin and Cap, 80 feet left of centerline station 234+77.14, corner to lands of MAN 'O WAR DEVELOPMENT, LLC #3 (Plat Cabinet 9, Slide 98) (D.B. 483, PG. 37), thence leaving the existing right of way of US 27, Lexington Road with lands of MAN 'O WAR DEVELOPMENT, LLC #3, in part, (Plat Cabinet 9, Slide 98) (D.B. 483, PG. 37) and lands of COMMERCE CENTER UNIT 2, in part, (Plat Cabinet 11, Slide 655);

North 58°36'57" West 1966.96 feet to an Iron Pin and Cap, in the existing right of way of Southern Railroad, thence leaving lands of COMMERCE CENTER UNIT 2, and continuing with the existing right of way of Southern Railroad;

North 18°45'47" East 1858.53 feet to an Iron Pin and Cap, corner to lands of Joseph Clay Leavell and Sarah Marie Leavell, thence leaving the existing right of way of Southern Railroad, and continuing with the lands of Joseph Clay Leavell and Sarah Marie Leavell;

South 60°15'30" East 1948.88 to the **Point of Beginning (P.O.B.),** containing 82.61 ± Acres of land.

STATEMENT OF RESOURCES

The property described above was computed from existing plats of record and descriptions of annexation of Jessamine County Clerk's records and filed as Ordinance Number 194-2025 .

Coordinates and bearings are from Kentucky State Plane by GPS observations and mapping of the City of Nicholasville, Kentucky and are, Kentucky Single Zone, NAD 83.

#3349 7/30/25

Signature PLS Number Date

ANNEXATION CONSENT

The undersigned, after first being duly sworn, states that he is the Manager of DWH Properties, LLC, owner of the property described in Exhibit "A". As such, he has the authority to dispose of the property described in Exhibit "A"; the authority to waive the enactment and waiting requirements of KRS 81A.420 (1) and (2); and the authority to waive the notice requirements of KRS 81A.425, all part of the LLC's request for annexation by the City of Nicholasville. Accordingly, he, as Manager, gives the LLC's consent to annexation by the City pursuant to KRS 81A.412.

DWH PROPERTIES, LLC

Joseph Brittain Howard

Joseph Brittain Howard,
Managing Member

COMMONWEALTH OF KENTUCKY
COUNTY OF JEFFERSON, SCT ...

Subscribed, sworn to and acknowledged before me by Joseph Brittain Howard, Managing Member of and for and on behalf of DWH PROPERTIES LLC, a Kentucky limited liability company on Novenber 11, 2024.

My Commission expires: Aug 11, 2026.

Notary Public KY State at Large 57022 No.

Publisher's Certificate of Publication

STATE OF KENTUCKY

Joe Imel, being duly sworn, on oath says he is and during all times herein stated has been an employee of The Bluegrass Newsmedia, publisher and printer of the Jessamine Journal.(The "Newspaper"), has full knowledge of the facts herein stated as follows:

1. The Newspaper printed the copy of the matter attached hereto (the "Notice") was copied from the columns of the Newspaper and was printed and published in the English language on the following days and dates:

10/23/25

2. The sum charged by the Newspaper for said publication is the actual lowest classified rate paid by commercial customer for an advertisement of similar size and frequency in the same newspaper in which the Notice was published.

3. There are no agreements between the Newspaper, publisher, manager or printer and the officer or attorney charged with the duty of placing the attached legal advertising notice whereby any advantage, gain or profit accrued to said officer or attorney

Joe Imel, Publisher

Subscribed and sworn to before me this
23rd Day of October, 2025

DONNA L FLINCHBAUGH
NOTARY PUBLIC
COMMONWEALTH OF KENTUCKY
COMM. # KYNP78902
MY COMMISSION EXPIRES SEPTEMBER 05, 2027

Donna Flinchbaugh, Notary Public
Kentucky State at Large
KYNP78902
My commission expires 09-05-2027

Account #
Ad # 2061036

CITY OF NICHOLASVILLE
PO BOX 450
NICHOLASVILLE KY 40340

PUBLIC NOTICE

NOTICE OF ENACTMENT OF ORDINANCE

Notice is hereby given that on October 13, 2025; the Nicholasville City Commission enacted an ordinance, the full text of which is available for inspection in the office of the City Clerk, 517 North Main Street, Nicholasville, KY. The ordinance by title and summary: **ORDINANCE 202-2025: AN ORDINANCE AMENDING THE CITY OF NICHOLASVILLE PERSONNEL POLICIES AND PROCEDURES, COMPENSATION PLAN AND CLASSIFICATION PLAN.** [This Ordinance amends the City of Nicholasville's Personnel Policies and Procedures: Compensation and Classification Plans by amending the minimum, middle, and maximum salaries for each pay grade.]
Kathy Walker, City Clerk
October 23, 2025

NOTICE OF ENACTMENT OF ORDINANCE

Notice is hereby given that on October 13, 2025; the Nicholasville City Commission enacted an ordinance, the full text of which is available for inspection in the office of the City Clerk, 517 North Main Street, Nicholasville, KY. The ordinance by title and summary: **ORDINANCE 203-2025: AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP FOR THE CITY OF NICHOLASVILLE FROM A-1 (COUNTY) TO R-1E (SINGLE FAMILY RESIDENTIAL DISTRICT), FOR APPROXIMATELY 2.76 ACRES OF PROPERTY LOCATED AT 3030 ASHGROVE ROAD (PORTION OF PVA PARCEL #078-20-00-001.00).** [This ordinance amends the Official Zoning Map of the City of Nicholasville in accordance with the recommendation of the Nicholasville Planning Commission to approve the zone map amendment to R-1E (Single Family Residential District) for approximately 2.76 net acres of property located on PVA Parcel #078-20-00-001.00.]
Kathy Walker, City Clerk
October 23, 2025

NOTICE OF ENACTMENT OF ORDINANCE

Notice is hereby given that on October 13, 2025; the Nicholasville City Commission enacted an ordinance, the full text of which is available for inspection in the office of the City Clerk, 517 North Main Street, Nicholasville, KY. The ordinance by title and summary: **ORDINANCE 204-2025: AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP FOR THE CITY OF NICHOLASVILLE FROM R-1D (SINGLE FAMILY RESIDENTIAL DISTRICT) TO R-1E (SINGLE FAMILY RESIDENTIAL DISTRICT), FOR APPROXIMATELY 11.62 ACRES OF PROPERTY LOCATED AT THE SOUTH END OF NOAH AVENUE (PVA PARCEL #070-00-00-021.03).** [This ordinance amends the Official Zoning Map of the City of Nicholasville in accordance with the recommendation of the Nicholasville Planning Commission to approve the zone map amendment to R-1E (Single Family Residential District) for approximately 11.62 net acres of property located on PVA Parcel #070-00-00-021.03.]
Kathy Walker, City Clerk
October 23, 2025

NOTICE OF ENACTMENT OF ORDINANCE

Notice is hereby given that on October 13, 2025; the Nicholasville City Commission enacted an ordinance, the full text of which is available for inspection in the office of the City Clerk, 517 North Main Street, Nicholasville, KY. The ordinance by title and summary: **ORDINANCE 205-2025: AN ORDINANCE ESTABLISHING A DECREE OF ANNEXATION OF 82.61 ACRES OF REAL PROPERTY LOCATED AT 3213 LEXINGTON ROAD/US 27 (DWH PROPERTIES, LLC PROPERTY – PVA PARCEL NO.067-00-00-028.00) INTO THE CITY OF NICHOLASVILLE, KENTUCKY.** (This Ordinance annexes 82.61 acres of real property located a 3213 Lexington Road/US 27 into the City of Nicholasville, Kentucky.)
Kathy Walker, City Clerk
October 23, 2025

Jessamine Journal:
Oct. 23, 2025
ORDINANCES 10.13.25

ORDINANCE 182-2025

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP FOR THE CITY OF NICHOLASVILLE FROM A-1 (COUNTY) TO R-3 (MULTI FAMILY RESIDENTIAL DISCTRICT), FOR APPROXIMATELY 16.10 ACRES OF PROPERTY LOCATED AT 3213 LEXINGTON ROAD (PORTION OF PVA PARCEL #067-00-00-028.00).

3213 Lexington Road

WHEREAS, the Nicholasville Planning Commission held a public hearing on May 20, 2025, concerning certain amendments to the Official Zoning Map of Nicholasville and recommended approval of a zone map amendment from A-1 (County) to R-3 for approximately 16.10 acres of property, located at 3213 Lexington Road as shown on Exhibit A; and

WHEREAS, the Nicholasville Planning Commission voted 7-0 to forward a recommendation of approval to the City Commission with conditions; and

WHEREAS, the zone map amendment request was determined by the Planning Commission to satisfy the findings required in Article 13, Section 1350, Recommendation of Commission for Zoning Map Amendments and KRS 100.213; and

WHEREAS, the City Commission of the City of Nicholasville has considered the respective record and desires to affirm the above recommendation;

NOW THEREFORE BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF NICHOLASVILLE, WHILE IN REGULAR SESSION on June 23, 2025, that it accepts and adopts the Findings of Fact and Conclusions of Law made by the Nicholasville Planning Commission and rezones the subject property as described herein.

BE IT FURTHER ORDAINED by the City Commission that the Official Zoning Map of the City of Nicholasville shall be amended to reflect the above change.

This ordinance will take effect upon adoption, execution and publication.

FIRST READING (INTRODUCTION): June 9, 2025

SECOND READING AND ADOPTION: June 23, 2025

Alex Carter, Mayor

Attest:

Kathy Walker, City Clerk

SUMMARY OF ORDINANCE

ORDINANCE 182-2025

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP FOR THE CITY OF NICHOLASVILLE FROM A-1 (COUNTY) TO R-3 (MULTI FAMILY RESIDENTIAL DISCTRICT, FOR APPROXIMATELY 16.10 ACRES OF PROPERTY LOCATED AT 3213 LEXINGTON ROAD (PORTION OF PVA PARCEL #067-00-00-028.00).

3213 Lexington Road

This ordinance amends the Official Zoning Map of the City of Nicholasville in accordance with the recommendation of the Nicholasville Planning Commission to approve the zone map amendment to R-3 (Multi Family Residential District),) for approximately 16.10 net acres of property located on PVA Parcel #067-00-00-028.00.

PUBLIC NOTICE

NOTICE OF ENACTMENT OF ORDINANCE

Notice is hereby given that on June 23, 2025, the Nicholasville City Commission enacted an ordinance, the full text of which is available for inspection in the office of the City Clerk, 517 North Main Street, Nicholasville, KY. The ordinance by title and summary: ORDINANCE 182-2025: AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP FOR THE CITY OF NICHOLASVILLE FROM A-1 (COUNTY) TO R-3 (MULTI FAMILY RESIDENTIAL DISTRICT), FOR APPROXIMATELY 16.10 ACRES OF PROPERTY LOCATED AT 3213 LEXINGTON ROAD (PORTION OF PVA PARCEL #067-00-00-028.00). [This ordinance amends the Official Zoning Map of the City of Nicholasville in accordance with the recommendation of the Nicholasville Planning Commission to approve the zone map amendment to R-3 (Multi Family Residential District) for approximately 16.10 net acres of property located on PVA Parcel #067-00-00-028.00.]
Kathy Walker, City Clerk
June 26, 2025

EXHIBIT A
ORDINANCE 182-2025

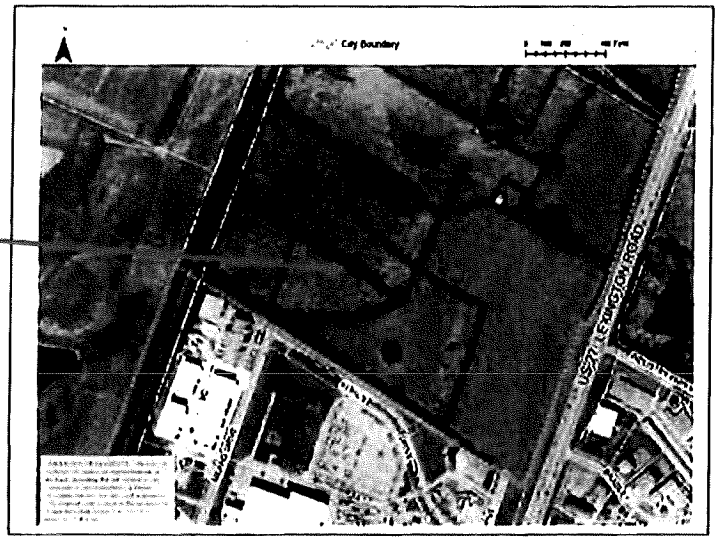
ZONING MAP AMENDMENT
3213 Lexington Road
CONSISTING OF 16.10 ACRES AND CURRENTLY
KNOWN AS POTION OF PVA PARCEL #067-00-00-028.00

This sheet is an Exhibit to Ordinance No. 182-2025 adopted by the City Commission of the City of Nicholasville, KY on June 23, 2025. The Official Zoning Map is hereby amended by the City Commission of the City of Nicholasville as noted here and consistent with Ordinance 182-2025.

Property Description: Said land consist of the following property, also shown graphically below and as further identified in the legal description on Sheet 2:

1. Portion of PVA Parcel #067-00-00-028.00, consisting of 16.10 acres.
2. Zone Map Amendment from A-1 (County) to R-3 (City) Multi Family Residential District

Zone Map Amendment of 16.10 acres; known as PVA Parcel #067-00-00-028.00 from A-1 (County) to R-3



Kathy Walker
City Clerk
City of Nicholasville

Nicholasville Planning Commission

ZONE MAP AMENDMENT REQUEST BY CONTINENTAL 831 FUND LLC

A proposed amendment to the zoning map seeks to change the designation from A-1 (County Agricultural) to R-3 (Multifamily) for a 16.10 acre area located on the west side of US 27, near Kohl Drive. This site is adjacent to the Commerce Center Shopping Center, which includes Kohl's Department Store and Sam's Club.

Amended Justifications/Findings for Approval of Request

INTRODUCTION

The subject property encompasses 16.10 acres and is part of DWH PROPERTIES, LLC property (Colts Run – Howard Farm), located on the west side of US 27, adjacent to Commerce Center, which includes Kohl's and Sam's Club.

Currently, the parcel is zoned A-1 (Agricultural) but is proposed to be rezoned to R-3 (Multifamily Dwelling). The intended use of this parcel is the development of an 11-building, 268-unit upscale garden style multifamily housing project.

The community will primarily consist of one-bedroom and two bedroom units, which together will make up 80% of the total unit mix. The remaining units will be a mix of studio and three-bedroom units. This distribution is designed to meet the needs of the target residents, including young professionals and empty nesters who work or are seeking employment along the US 27 corridor, an area with several retail nodes. Additionally, the community will feature a clubhouse of more than 4,000 square feet, which will include a resort style pool, a kitchen, a business lounge, and access to on-site property management staff. In addition, this community will include a pet playground, grilling station, and activated outdoor space to enhance resident experience and sense of community.

The property is strategically located and part of a master development plan, ensuring that a variety of comparable uses surround the community. Directly south of the site is an existing Kohl's department store and Sam's Club, with Kohls Drive running along the southern boundary. The eastern boundary includes planned commercial and retail outlots. To the north of the property, there are plans for additional housing, which features a single-family residence community and senior living options.

Continental 831 Fund, LLC, the developer, owner, and operator of the project, is anticipated to commence construction by late 2025. Continental 831 Fund, LLCis also committed to completing essential utility installations and roadway extensions to facilitate both the broader development and their own project. Moreover, it will take on the responsibility of owning and managing the community in the long term.

1. The Application agrees with Nicholasville's 2017 Joint Comprehensive Plan regarding the following Goals and Objectives:

I. ECONOMIC AND COMMERCIAL DEVELOPMENT

A. Goal

Create a regulatory and policy environment attractive to environmentally responsible, diverse and stable businesses and industries capable of providing a variety of goods and services as well as quality employment opportunities for Jessamine County residents.

Objectives

5. **Support** creative commercial development alternatives, including infill, adaptive reuse and **mixed-use development, within established urban areas.**

(This goal is attainable because the multifamily housing proposal is part of a larger master plan. The design of this plan will comply with all regulations and policies that promote environmentally sustainable practices. Multifamily housing has a significantly lower impact on land use compared to single-family homes or condominiums. By providing medium to high-density multifamily options, we can broaden the tax base and enhance the commercial vitality of the area. This development will support existing nearby businesses and help stimulate the growth of new retail and commercial opportunities. Ultimately, this approach aims to attract future commercial ventures, improving the goods and services available to all residents of Nicholasville and Jessamine County.)

II. RESIDENTIAL DEVELOPMENT

A. Goal

Encourage a balanced mix of housing opportunities and the efficient use of residential land throughout the County.

Objectives

1. **Provide a full and balanced range of housing alternatives that offers options for residents** with diverse needs and income levels recognizing Jessamine County's demographic studies to balance future growth. *(The master plan anticipates providing single-family, multifamily and senior housing.)*

2. **Encourage the development of mixed-density and mixed-use neighborhoods.** *(The master plan anticipates providing retail businesses.)*

5. **Ensure that adequate land is available to accommodate the housing needs of the entire Jessamine County community.** *(The subject property's development for residential use is a logical extension of*

the existing Commerce Center Shopping Center which adjoins the subject property.)

B. Goal

Provide simple, convenient pedestrian, vehicular and bicycle access to everyday goods and services for residents of both urban and rural areas throughout Jessamine County. *(This Goal is met in that the planned development of the subject property will be located adjacent to a retail commercial area which will give the residents convenient access to everyday goods and services.)*

II. TRANSPORTATION

B. Goal

Provide for an adequate, efficient and safe transportation system that supports and encourages alternate routes and modes of transportation.

Objectives

1. Require pedestrian, vehicular and bicycle circulation systems, where appropriate, as part of all development and redevelopment planning.

(The conceptual plan submitted with the application depicts several sidewalks connecting the proposed residential development to the nearby commercial/retail areas and will interconnect with already existing stub streets from the adjoining commercial development.)

IV. INFRASTRUCTURE AND COMMUNITY FACILITIES

B. Goal

Develop a plan for efficient expansion of existing infrastructure and community facilities to meet current and future needs. *(The subject property is located within the Nicholasville Urban Service Boundary and all utilities (water, sewer, electrical power and gas) are located nearby and can be extended to it. The rezoning satisfies the requirement of Goal IV. B. in that it is an "efficient expansion of existing infrastructure and community facilities to meet current and future needs.")*

Objectives

1. Ensure that all development plans **include adequate provisions for stormwater management.** *(The developer will construct.)*

4. **Promote the extension of water and sewer service throughout the county.** *(Water and sewer services adjoin the subject property and will be extended by the developer)*

5. Coordinate land development decisions with public service, infrastructure and community facility providers in a way that will **provide services in an orderly, efficient manner.** *(The subject property is a logical extension of existing development that adjoins it.)*

6. Plan and monitor the location, timing and density of development to coincide with existing and planned infrastructure and community facilities. *(The proposed development spurring this zone change application coincides with the planned construction and current existence nearby of restaurants, shops, groceries, and other typical commercial needs in the area).*

7. **Encourage contiguous development** to make most efficient use of existing and planned infrastructure capabilities. *(The subject property is a logical extension of existing developments that surrounds it.)*

V. ENVIRONMENT

A. Goal

Encourage environmentally responsible development that maintains clean air, water and soils and properly manages solid waste.

Objective

5. Restrict industrial, commercial and high-density residential development in areas without public sewer service. *(The subject property will be connected to public sewer.)*

2. In accordance with the foregoing Goals and Objectives, the change in zone and the development proposed for the subject property agrees with the Comprehensive Plan by providing quality, upscale multi-family housing which is in high demand in this area of Nicholasville, where current market inventory remains consistently low averaging 1.1.2% in the next 3 years (according to RealPage Market Analytics)

3. There has been a major change of an economic, physical and/or social nature within the area involved which was not fully anticipated in the current (2017) adopted Comprehensive Plan and which has substantially altered the basic character of the area in which the subject property is located, to-wit: LFUCG's current policy of restricting residential development within its boundaries.

4. All necessary infrastructure is readily available to the subject property and there is existing capacity to accommodate the planned development.

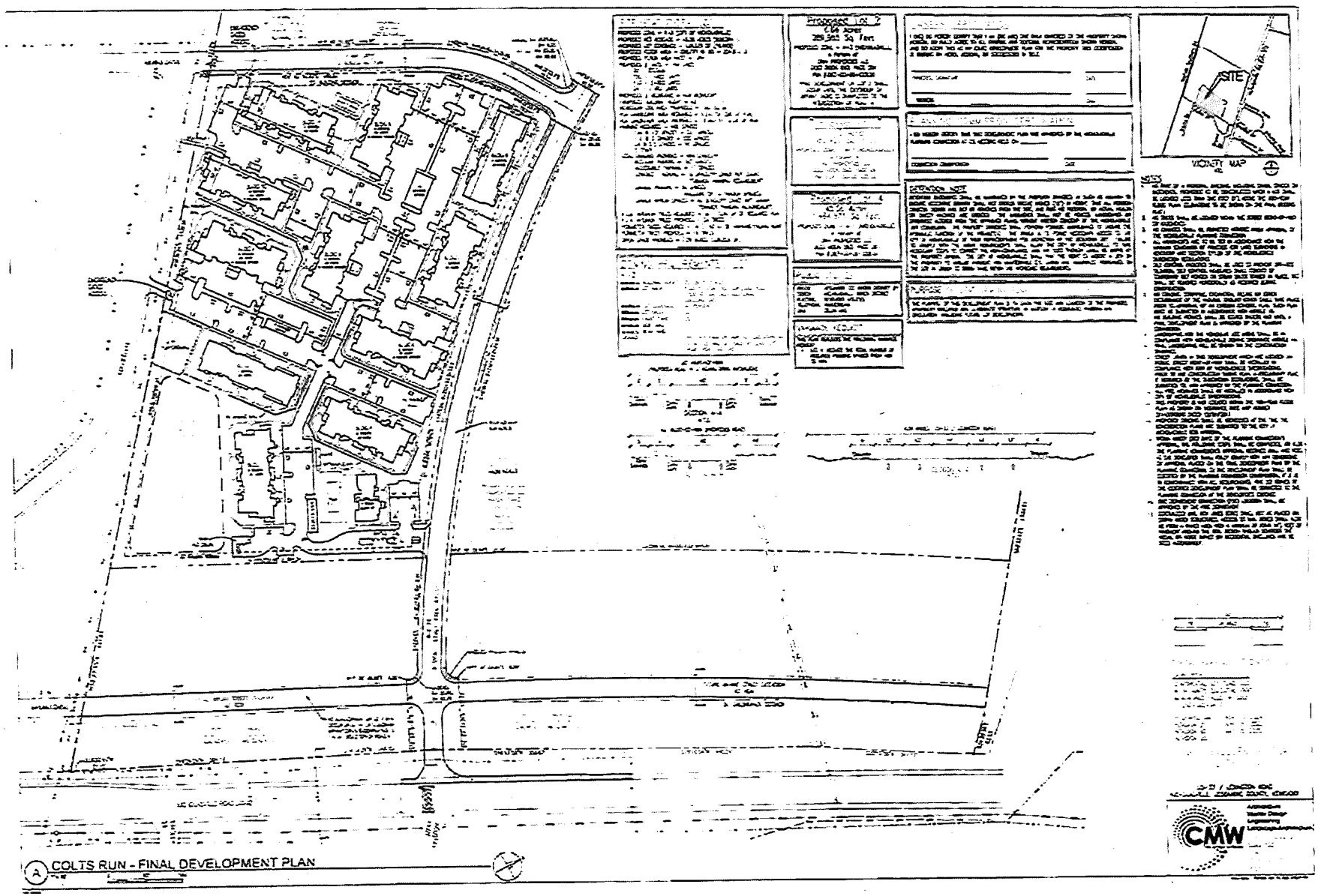
5. Based on the projections contained in 2017 Comprehensive Plan, there is a compelling need in Nicholasville for this zone change in that it will provide necessary housing for the anticipated population growth, in conjunction with the expansion of major employers in the region and along the US 27 corridor including the University of Kentucky, Baptist Health, Publix and Kroger.

6. Due to the low supply of quality, upscale multi-family housing in Nicholasville, there is a compelling need in Nicholasville for this zone change and the demand for this type of housing is predicted to be strong as the population of Nicholasville continues to grow in this area. The occupancy rates for the local comparable multi family complexes (The Avenue on Nicholasville, The W and Greyson on 27) register in the high 90th percentile.

8. The current A 1 (County) zoning is inappropriate because it is not economically feasible to farm the property and the proposed R-3 zoning is appropriate in that it will address the need for housing as outlined above and support adjoining commercial area.

9. A small variance is granted to permit to permit 22 fewer uncovered parking spaces than is normally required due to the significant number of garage apron spaces provided (40) and the applicant's experience nationwide indicating 464 spaces is more than adequate to meet the current day parking needs of this project. The variance granted above will not adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public and will not allow an unreasonable circumvention of the requirements of the zoning regulation.

A public hearing on the Application was held before the Planning Commission on May 20, 2025. The minutes, the transcript of the meeting of the Planning Commission (including all exhibits shown), and the Planning Commission's administrative file are incorporated herein by reference to provide a summary of the proceedings which occurred at this hearing.


SITE
VICINITY MAP
COLTS RUN - FINAL DEVELOPMENT PLAN
CMW

ANNEXATION CONSENT

The undersigned, after first being duly sworn, states that he is the Manager of DWH Properties, LLC, owner of the property described in Exhibit "A". As such, he has the authority to dispose of the property described in Exhibit "A"; the authority to waive the enactment and waiting requirements of KRS 81A.420 (1) and (2); and the authority to waive the notice requirements of KRS 81A.425, all part of the LLC's request for annexation by the City of Nicholasville. Accordingly, he, as Manager, gives the LLC's consent to annexation by the City pursuant to KRS 81A.412.

DWH PROPERTIES, LLC

Joseph Brittain Howard

Joseph Brittain Howard,
Managing Member

COMMONWEALTH OF KENTUCKY
COUNTY OF JEFFERSON, SCT ...

Subscribed, sworn to and acknowledged before me by Joseph Brittain Howard, Managing Member of and for and on behalf of DWH PROPERTIES LLC, a Kentucky limited liability company on Novenber 11, 2024.

My Commission expires: Aug. 11, 2026.

Notary Public KY State at Large 57022 No.

REGULAR MEETING OF THE
CITY OF NICHOLASVILLE, KENTUCKY
PLANNING COMMISSION

Transcript of Zone Map Amendment
In Re: 3213 Lexington Road
Continental 831 Fund, LLC
Menomonee Falls, Wisconsin 53051

May 20, 2025,
commencing at 5 p.m.

Lisa Colston, FCRR, RPR
Federal Certified Realtime Reporter

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A P P E A R A N C E S

Planning Commission:

CHAIRMAN:

John Quinn

BOARD MEMBERS:

Jared Hager
Paula Elder
Shane Floyd
Ruby Mason
Lawrence Riley
Brian Welch
Ron Shearer

STAFF MEMBERS:

Tim Cross
Director of Planning & Zoning

Heather Teater, Secretary

Robert L. Gullette, III, Esq.
City Attorney

CHAIRMAN QUINN: At this time I would like to call the May 20th, 2025 Nicholasville Planning Commission meeting to order. Our first item will be roll call, please.

MS. TEATER: Shane Floyd.

MR. FLOYD: Present.

MS. TEATER: Ron Shearer.

MR. SHEARER: Here.

MS. TEATER: Paula Elder.

MS. ELDER: Here.

MS. TEATER: Lawrence Riley.

MR. RILEY: Here.

MS. TEATER: Ruby Mason.

MS. MASON: Here.

MS. TEATER: Brian Welch.

MR. WELCH: Here.

MS. TEATER: Richard Collins is absent. And I have texted Jared Hager to see if he is still coming. Absent currently.

John Quinn.

MR. QUINN: Here.

Our next item is the minutes from the April 22, 2025 meeting.

(Intervening proceedings were had,

after which the following proceedings occurred at 5 p.m.)

CHAIRMAN QUINN: Our next item is Zone Map Amendment, 3213 Lexington Road, Zone Map Amendment from A-1 (County) to R-3 (Multi-Family Residential District) for approximately 16.10 acres, PVA parcel number 067-00-00-028.00. And that is requested by Continental 831 Fund, LLC, Menomonee Falls, Wisconsin 53051.

Mr. Smith.

MR. SMITH: Thank you, Mr. Chairman, Members. When I wrote my remarks out, I started out with "good evening" but it is "good afternoon," which is a nice thing to be able to say.

For the record, I am Bruce Smith. I practice law at 201 South Main Street. I'm here representing Continental 83 Fund, LLC, the applicant, and the owner of the property, DWH Properties. DWH is Joe Howard's family's LLC.

Continental is a builder and owner of many multi-family projects throughout the nation. They are based outside of Milwaukee,

a little north I guess. The town is a tongue twister, Mr. Chairman, Menomonee Falls.

CHAIRMAN QUINN: Yes.

MR. SMITH: I can't say it real quick three times.

So with us tonight, Lexi Goetsch, who flew in and will speak on part of the presentation tonight. And we have got Jeff Stidham, who is the principal driver of this entire property, which I will let you know about.

This is just part of one part of a sixty -- well, what, eighty -- seventy-some acre farm. This is only about 16 acres. I'm going to get confused on some of these acreages because I've got three tonight and I'm trying to keep them all separate. Jeff is Landform Development Consultants. And, as I said, he is the chief driver of the entire project, which this is only a part of this overall project.

The property, yeah, is somewhat over 16 acres. And you can see it behind the Chairman there. It is the parcel that's got the green areas shown in it. It is on the

west side of U.S. 27, next to -- to the south next to Kohl's Department Store, Sam's Club, Suff's Furniture Store right out front. And I want to emphasize, yes, that it is part of a much larger project. I said 70 acres. This is an 84 acre farm. This is 16 acres of that. And we will tell you about the other 68. In other words, this particular spot, this multi-family project, is not going to be developed in a vacuum. And you will find that the rollout of the development of the rest of the property will occur in pretty quick fashion.

The request is to rezone this 16 acres from A-1 to R-3. It is going to be a high-end garden style multi-family complex. It will have a blend of studio, one bedroom, two bedroom, three bedroom apartments. And these apartments will have the usual amenities, which Lexi will get into when she makes her portion of the presentation.

You can see across the bottom, between the complex and U.S. 27, and I outlined it to give you some sense of where this is headed, those will be retail parcels.

And we are anticipating that we will be filing a zone change request for those parcels next month.

There are going to be two ways to enter this project, not immediately but pretty close to immediate. The principal entry will be at that lighted intersection at Industry Drive. We have been able to convince the Highway Department to permit us to put -- make it a fully signalized intersection there, I guess as the Kohl's Drive is now. That agreement could change in time, but that depends on a lot of if's, funding, Highway Department plans, et cetera. But right now there is a fully signalized intersection planned.

As you can see at the, what, bottom right of the project there at 27, there are going to be two emergency entrances. If you look on the left-hand side of the rectangle, part way down there is an emergency entrance on the Kohl's Drive. And then further on down there is, where you see Means Drive that comes in there, there is an emergency entrance there right beyond that intersection

with Means Drive, which is another way to enter this project.

There will be, in the future, a service road between 27 and the retail parcels. That will be constructed in the future when the retail parcels come online. And you will see that as part of the development plan proposed next month. As I said, this project's not -- this particular 16 acres is not going to be developed in a vacuum. We have plans, which are progressing for the other 68 acres. And this is a rendering of what that will look like.

This rendering, in the far upper left-hand corner you have the existing Kohl's and Sam's Club. And then as you come to the right you will see a water feature. And this is the 16 acres that we are talking about tonight (indicating). Across the front, various proposed sites for retail. In the back right corner will be single family homes. And in front of the single family homes we anticipate some sort of a senior housing. So you can see that this is a mixed use project. We are bringing it in in

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sections, in phases. The apartment complex is phase one, obviously.

There is a fair amount of -- let me back up and say that we're excited to get this project off the ground. We teed this up in December. But discussions with the Transportation Cabinet delayed our coming to you, in terms of working out the access from 27. And you can see that primary entrance there a little more clearly on the left-hand side of the picture.

The retail folks in the shopping center next door are excited about this core space and, obviously, because it provides more users for what they're selling over there. I thought, possibly, tonight we would have somebody from Suff's, but I don't see them in the crowd. They were going to come and tell you how excited they were about the project. Please don't take their absence that they are not excited, because they really are.

MR. STIDHAM: I'm Jeff. And, yeah, Rick wanted to be here.

CHAIRMAN QUINN: We need your name

and address, please.

MR. SMITH: This is Jeff Stidham.

MR. STIDHAM: Jeff Stidham, Landform Development Consultants, 836 Euclid Avenue in Lexington 40502. And I lived in Equestrian Woods for a long time, and I sure do miss it. I live now up closer in the Palomar side.

But Rick has really helped us from the outset. We really started conversations with everybody, and Tim, on this a year and a half or more ago probably now. So he was apologetic he couldn't make it if something came up. But he definitely has helped us and wants to see this happen, if possible.

MR. SMITH: Thank you. Thank you, Jeff. That is Rick Suffoletta that he was referring to.

(Jared Hager enters room, 5:12 p.m.)

MR. SMITH: I'm happy to address any questions you might have at this time. If there are none, I will ask Lexi to come up and present, dive into the details of the phase one, multi-family project. And then after she is done, I will close with the

legal reasoning that we believe supports this request.

Are there any questions for me at this time?

CHAIRMAN QUINN: Commission Members, any questions?

MR. FLOYD: Mr. Smith, what do you mean on these two entrances and exits, emergency gated access? Does that mean they will not be used unless it is an emergency or what doss that...

MR. SMITH: That's correct.

MS. GOETSCH: I can opine on this.

MR. SMITH: I will let -- yeah, come ahead, Lexi. This is Lexi Goetsch from Continental. And go ahead and respond.

CHAIRMAN QUINN: With your name and address and everything first, please.

MS. GOETSCH: Lexi Goetsch with Continental Properties, W134 Executive Parkway, Menomonee Falls, Wisconsin.

Just to clarify, the one entrance off of Means Drive will be emergency gated; that means that only emergency vehicles will be able to use and operate the gate.

However, the one on Kohl's Drive will be a secondary access for residents to increase circulation for the residents within the property. So, to distinguish between a gated entrance and an emergency gated entrance. Does that clear up your question?

MR. FLOYD: Yes, ma'am. I was just wondering. The more entrances you have the better flow of traffic, I would think. Why is it -- not the other one, you know, able to be used to separate it? Is that a City thing or is that --

MS. GOETSCH: Correct. That was a request from staff, for Means Drive to remain emergency gated access only.

MR. SMITH: There is an access in the drive onto the backside. There is no access into the project, but there is access to the whole -- if I go back to, if you look at this diagram here (indicating), you will see Means Drive extends from the Kohl's, Sam's Club shopping center there on the left across the backside of this property into the entire farm, not into the --

MR. FLOYD: Not into this project.

MR. SMITH: Not into this project. That is just emergency. But, yes, as Lexi said, that is at the request of staff.

CHAIRMAN QUINN: Would that change as the second phase or whatever, this...

MR. FLOYD: Yeah. What was the reason for that, Tim?

MR. CROSS: Honestly, I mean, Lexi, you said that the entrance on the Kohl's would be a secondary entrance, come and go, right?

MS. GOETSCH: Correct.

MR. CROSS: I think the only reason we had a concern is the proximity to the intersection on the Means Drive.

MS. GOETSCH: Uh-huh.

MR. CROSS: That's it. The only reason, the proximity to the intersection. But, I mean, I -- so I will say this. The access point meets our standards. So if this Board wants that to be full access, I don't think that Continental would object, right? Like if this Board says, "Well, we think that that needs to be a full access, come and go," then it meets the standard. It is just that

is industrial back there and, you know, we have that; you know, it is just industrial and, you know, it has bigger truck traffic and we just thought maybe it would be better just to keep that for an emergency exit. It does meet our standards.

MR. FLOYD: They could move it on down to here (indicating), which would get it further away from the other intersection.

MR. CROSS: It could. And what Shane's point now is, the larger parking field that's up to the north, the north there, it could come out there. I don't know if that would be a big change.

MR. FLOYD: I think the more access you have, the better project it would be, the better flow of traffic. Just personal.

MR. CROSS: But...

MR. SMITH: I might add, if I didn't mention it earlier, but we have presented an overall picture of this project to the City. We've signed a memorandum, an agreement that envisions this will be annexed and how it's going to be laid out. So I guess it is -- yeah, I mean, initially I

think we did have an access plan there at the end. But we --

MR. CROSS: Lexi, do you mind, if this Board wants that third access point to be full access and it doesn't present any major site issues, do you mind to move it further from the intersection where that large parking area is and punch an exit out?

MS. GOETSCH: We could certainly evaluate it. I know parking is also a commentary on the plan overall. So if it was at the expense of losing parking, I think that would just need to be a larger discussion with this body. But we could certainly evaluate, I think to your point, Tim, we removed it due to the tightness of the proximity to that intersection and also considering the industrial use at the back of the development. We don't envision it getting much use overall, considering we now have one on both Industry Parkway and Kohl's Drive, that it does kind of bifurcate the site, of both sections can have kind of a designated entrance and exit, that I don't know how much the Means Drive would truly be

utilized if it is also at the expense of losing parking stalls.

MR. CROSS: I agree with you, I don't think it will be used very much. I think the two main exits are going to be Kohl's and, I've been calling it, Continental Drive. It is street -- it is Road A on here.

MS. GOETSCH: Yes.

MR. CROSS: So I don't think that Means will be used very much, but I do think it is important. They showed it on their plan and if it is gated we will coordinate with our first responders. Usually it is a --

MS. GOETSCH: Click gate.

MR. CROSS: -- click gate.

MS. GOETSCH: Yeah.

MR. CROSS: You click the mic and the gate opens for emergency access.

MS. GOETSCH: Correct. And that is the gate that would be utilized.

MR. CROSS: So I don't think it is necessary. I like the two, because I think those are the main driving forces, people will come out of the shopping center, go to

Jimmy John's or the bank or whatever for those needs and when they are not going there they will come back out to Road A.

MS. ELDER: The other parking concerns addressed in here, have you dealt with those? Do you have an answer to that?

MR. SMITH: Lexi is going to address that. But it is minor, a minor request in the scheme of things. But, yes, she will address that.

MR. CROSS: Yeah. So since it was brought up, we are really close on the number of the parking spaces. So they have 464 open parking spaces shown on their plan. They have supplemented that with 18 covered parking spaces. So our ordinance does not allow us to count paid-for parking towards our parking count. So the way it was explained to me was the covered parking is an additional fee. If you live in that development, then -- and you want a covered parking spot, then you have to pay for it. We don't allow that to count. But if we count those spaces in, then we are one over, you know. So, I mean, we are really close.

I had sent to CMW some spots where parking could be picked up, and I think that we can pick up easily, easily pick up 18 spaces without -- it is -- essentially, it is the spaces where you have your garage units. So, like for instance, on this drawing when your garage units you have these grass areas (indicating), and just counting the parking spots that are opposite of those, you have those three islands (indicating), those three islands (indicating), and I think you have another one, these three islands, 1, 2, 3 (indicating). So those six or nine spots would easily pick up 18 spaces if it need be.

But I think you are going to make --

MS. GOETSCH: And we can discuss it now, since it was brought up.

MR. CROSS: Yes.

MS. GOETSCH: So the ideology behind requesting a variance, as Tim discussed, was we are over it technically, if you can count not only the covered stalls that are at a charge along with the apron stalls. So those are the ones that are

outside of a garage unit.

And, so, that does provide a little bit of variability for our tenants. We know that not everyone would be in a unit that would have an attached garage but may still want a covered parking stall. So although it is not included in the requirement, if you do include those, which provides variety for the residents, we would be above that requirement.

Like Tim said, I think we can look at opportunities to provide more spaces. But I wanted to share the rational for why we didn't meet it right off the bat in our initial submittal, was we try and provide that, you know, across our entire portfolio, so people can have uncovered for free, they can be in an attached garage unit, they can be in an uncovered detached. So we try and mimic the, you know, individual owner experience as much as possible, and that's one way that we try to provide it.

So we still ask that you, you know, consider the variance. And we can certainly look on our end to find additional spaces.

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But the variance request would still be appreciated. And even if it is granted, we would still look for as many uncovered spaces as possible.

MR. SMITH: But somebody in the complex is going to use those covered spaces. So an ordinance doesn't permit it, to count them, because they are paid for. But somebody is going to use those.

MR. CROSS: And I did not bring up the garage, Lexi did. There are 40 garage spaces. So those are on the two-story units.

MS. GOETSCH: Correct.

MR. CROSS: We don't have renderings, so I will assume those are kind of like a townhouse style.

MS. GOETSCH: Yes. I actually have a picture of them.

MR. CROSS: So we have two car garages at those units and then the apron. So, again, we don't count both the -- because, like, most of the time when you drive through most residential neighborhoods and the garage door is open, it is full of junk, people don't park in it. So I don't

think the apartments are going to be that much different, where their garages are not going to be used for storage. So we don't allow to count both the garage and the apron. You get to count one or the other, the garage or the apron.

So in the time where you do have those tenants that do use the garage for parking, there will be some extra parking there.

MS. GOETSCH: Absolutely.

MR. CROSS: Of course, you know, like the real world is, if you park in your garage and I live across the way in the other building, I can't block your car in in the garage. So I can't use that parking space. Do you know what I am saying?

MR. SMITH: On the apron.

MR. CROSS: Yeah. Like I don't live in your unit, I live in the building across the way. I can't pull in there and now you can't get your car out of your garage.

MS. GOETSCH: Absolutely.

MR. CROSS: That's why we don't

count them.

MS. GOETSCH: No. And we totally agree with, if that's a requirement that you set forth. I know there is a lot of study that goes into setting that, more so to give the global context of how much parking is truly provided for the site, that we don't think parking issues will arise at this property. It hasn't arose at our other properties in the area or across our entire portfolio at our 1.75 parking ratio. So more of a global context, but we do recognize your requirements specifically for this project.

CHAIRMAN QUINN: Any other questions of Members now? Or do you want to let Lexi go ahead and proceed with her presentation?

(No response)

MS. GOETSCH: I know we have already covered a lot, so I will try not to be too repetitive in this secondary presentation.

But, once again, with Continental Apartments, this is the Springs brand that we do. So that is our Class A garden-style

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apartment. If you go on to our website you can see a lot of Springs brands across the country. So this was proposed Springs at Kohl's Run Development.

Introduction. I know we have been over this. But a national multi-family developer. We specialize in garden-style apartments. We have developed in over 20 states, over 120 communities, and we are definitely committed to being a part of the communities in which we build and operate. And, so, we are really excited to be in front of you guys today and, hopefully, have this be the beginning of a strong relationship or ongoing of a strong relationship as we move forward.

So our expertise is very strong in comparison to some of our competitors. And that comes from the fact that we are a vertically-integrated team; that means that we begin, you know, even before I'm standing in front of you today, as soon as we find a parcel we want to learn more about the community, get to know people such as yourselves, carry it through, through the

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entitlements, permitting, ground breaking, stabilization, and then eventually owning and operating the community.

So with that, as an owner-operator we want to be investing in the community that we are going to be in. We see ourselves here long-term. We are certainly not just a build and sell type of developer. So we do see that commitment long-term and want to make it a relationship with everyone here today.

Proposal snapshot. I know Bruce already covered some of it. But it is 16 acres. It is part of the larger Kohl's Run Master Development. That will include approximately 2,400 linear feet of off-site improvements along the Means Drive and Industrial Parkway, or Road A as noted on the plan. 268 units across 11 buildings; that's a combination of two and three-story buildings. And then there will be a mix of studio, one, two, and three-bedroom units.

Some community benefits. Going back to us being an owner-operator, how we try to support the existing communities along with our future residents. So job creation.

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We approximate 250 jobs through construction, development, and then five long-term jobs. Resident spending we estimate at about $20.2 million; that will go towards the Nicholasville community as part of the demand drivers for our future tenants. We are at about a 20.4 percent of the average rent-to-income ratio. So we do try to be mindful of the rents that we are setting to make it something that future residents can utilize and also existing residents of Nicholasville. So we base that on our national data and also local data here in Nicholasville.

And, once again, when you have the more attainable average rent-to-income ratio, you get to support not only the future retail that will be going in the Kohl's Run Master Development, hopefully, but also the retail that is seen in the Kohl's, Jimmy John's, you know, Starbucks that's already existing just proximal to the site, along with other amenities located in the Nicholasville area.

Concept master plan. Bruce very much already covered this. We just wanted to

show it again. And we can certainly answer any questions that come up for the larger master plan. More so showing it, I know it is not going in for a rezone or things of that nature yet, but as a phase one of a Master Development I do think it is prudent to show what we are contributing to long-term. So if you have any questions, like I said, available to answer those.

The retail. Also just showing what it would look like as a true community once the Master Development is built-out from that Bryant Drive perspective. Some example retail tenants that could be going in with our community in the background as the first mover.

Then going into some of the specifics about our plan. So here is the colored site plan of the property with just an overlay of what those future uses could potentially look like. So you see the 11 buildings, as mentioned, 268 units. There is also the clubhouse that you can see on the property. And then the amenities, which I can walk through on this slide. So we are

planning to have a pickle ball court, a pet playground, a fire pit area, a grilling station, a pool that will be housed in our community, or our community clubhouse.

So we have a pool, we have a fitness center, we have our on-site staff that is available to all residents. So we have them along with maintenance that is on-site. This comes with a car care center as well, to kind of emulate that washing your car in your driveway feeling that you get when you own a stand-alone residential home.

So we really do try to provide these amenities not only to enhance the experience for our residents individually but also create a sense of a community with your neighbor and give that kind of cul-de-sac feel while you are still in a more condensed multi-family development.

I want to talk about the offsets, because I know those are always a big point of discussion not only for our development but also for the larger Master Development.

So Continental is planning to install the portion of the light that KYTC

has granted at the intersection of Industry Parkway and U.S. 27. We will then bring that Road A, as it is called on the final development plan, back to the intersection of Means Drive and extend it all the way to the Kohl's Drive section there. We will also stub-out 75 feet on either side of Bryant Drive, just to aid in the future development for those retail end-users, which I'm sure will be a larger point of discussion when those plans get submitted next month.

With that, I want to show just some interior pictures of what the homes would look like and also talk a little bit through about the sizing that we see. Obviously, when you have studio bedrooms through three-bedroom there is some variability.

Our average square footage is 975 square feet and average rent is right around 1,600, with a range of about 1,200 to 2,200 between studio and three-bedroom. And, so, I wanted to provide that data as well just to give some context to the larger picture of those 268 units.

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Some more photos of the overall development. And then I just wanted to end on a picture of what we can hopefully expect in the future here and open it up to questions from this group that I can answer. Thank you.

MS. ELDER: I'm curious, affordable housing being such an issue. I know you were talking about the rental prices being over 20 percent of the rent-to-income ratio. Any ideas of what you guys are going to be charging for rent on these?

MS. GOETSCH: Yes. So rent will be that average of 1,600 that I mentioned. So that is ranging from $1,200 to $2,200, from studio to three-bedroom. So, and also to clarify, putting that average rent-to-income ratio does not qualify as an affordable housing but just gives some context to our rental prices in comparison to your average Nicholasville resident.

MS. ELDER: Thank you.

CHAIRMAN QUINN: Any other questions from Commission Members?

(No response)

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CHAIRMAN QUINN: Mr. Smith, do you want to --

MS. GOETSCH: Thank you.

CHAIRMAN QUINN: Before we go to Mr. Smith. Does anyone in the audience have any comments, questions, concerns about this project?

(No response)

CHAIRMAN QUINN: Mr. Smith.

MS. GOETSCH: Thank you.

MR. SMITH: Thank you, Mr. Chairman.

So before the meeting I handed out some amended findings. These only differed from those that were previously submitted in that I included an additional numerical paragraph that discusses our requirement for this minor variance.

We would submit to you that this request meets all three of the statutory reasons. We have cited numerous sections of the goals and objectives, which it agrees with, in your comp plan. Clearly, agriculture use is not maintainable and inappropriate. We think the R-3 zoning of

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this section is appropriate. And certainly housing is in demand. I believe that the demand for housing in this community is further strengthened by the, what I will call, no-growth policy in Lexington. Your comp plan projects a very strong, compelling need for additional housing for a lengthy period of time, and we believe that's going to continue unabated.

At this point I would like to ask that all of the exhibits that we have shown you here tonight be included in the record. And we would respectfully request you give us a recommendation, approval on the zone change, along with adopting our findings, and also approval of the development plan with the requested variance.

And that, Mr. Chairman and Members, concludes our presentation.

MR. CROSS: I was asked some questions. Lexi, do you have -- like, I know you have multiple developments like this across the nation.

MS. GOETSCH: Uh-huh.

MR. CROSS: What is your rent rate

on the covered parking spaces? I guess, what is your occupancy rate on the covered parking spaces? Do you find that --

MS. GOETSCH: How much -- the percentage of them which are rented?

MR. CROSS: Yes.

MS. GOETSCH: And I would have to double-check this and get it back to you, but I believe that it is between 60 and 70 percent --

MR. CROSS: Okay.

MS. GOETSCH: -- of occupation at those. I could get you the exact number after this, but I just don't have it in front of me.

MR. CROSS: That's fine.

CHAIRMAN QUINN: Do any other Members have any comments, questions, or concerns?

MS. ELDER: Does there need to be anything in there about -- we were discussing changing the emergency access to full access. Does that need to be in anything or no?

MR. CROSS: I don't think it -- so, again, let me ask Lexi a question.

The exit on Kohl's, this is just labelled incorrectly, it is labelled as emergency gated access. The entrance on Kohl's Drive is a secondary access?

MS. GOETSCH: That is just a secondary access. That was just an administrative mistake. Apology for that.

MR. CROSS: Okay. I didn't catch that, either.

Paula, to answer your question, the only thing would be if you want the Means Drive to be secondary access, then we would just request that and make that change.

MR. FLOYD: I think it needs to be. I don't see any sense of having it there without being able to use it, in my opinion.

MR. CROSS: Then I would put that in your motion, if you move to approve it.

MR. SMITH: Mr. Chairman, I respectfully disagree with Mr. Floyd. I mean, I know you think there will be, if you make -- and I think what you are suggesting is there be some nonemergency access to Means Drive off the back-end of this.

MR. FLOYD: Uh-huh.

MR. SMITH: I respectfully disagree, simply because this is a nationwide developer. They are not going to plan a complex that has a problem in terms of ingress and egress. And they have worked on this and we've got --

MR. FLOYD: But we don't know what is going to go across the street there, either, in the future. There may be something that the people living there may want to access the back and every one of her projects in different areas are laid out different.

MR. SMITH: Well, I can tell you what is planned for the back. And it will most certainly not be something that these people want to access. It is going to be a zone request for industrial flex space. And, so...

MR. FLOYD: Maybe a lot of those people will work there and live over here.

MR. SMITH: Maybe. But I think that's a stretch. I'm just saying, these people are nationally recognized. They are

recognized for producing a good product --

MR. FLOYD: I'm sure it is.

MR. SMITH: -- that is friendly to their users, and this is not a matter of cost.

MR. FLOYD: I mean, it is no cost, basically. Is there?

MR. SMITH: Well, sure.

MR. FLOYD: That's already there. So what is the cost to it?

MR. SMITH: Oh. You are talking about making the emergency entrance -- just removing the emergency bar?

MR. FLOYD: Correct, correct. So they can use it at any time they want to.

MR. SMITH: Sure. I thought you were talking about switching the entrance. But that's fine. I mean, you're right, no cost, remove the bar. Sorry. I misunderstood.

MR. FLOYD: Okay.

MS. GOETSCH: Tim, can you just confirm that it meets the regulations.

MR. CROSS: I did. I checked it.

MS. GOETSCH: Okay.

MR. CROSS: Yeah. Labeled B.

MS. GOETSCH: Yeah. That would be our only concern, it meets the regulation.

MR. CROSS: By ordinance it only has to be 50 feet. And we do it from intersection of right-of-way to the edge. And you're -- I think you are 75. So, yeah, I checked it.

MS. GOETSCH: Sounds good. Great.

CHAIRMAN QUINN: Anyone else?

(No response)

CHAIRMAN QUINN: Hearing no other comments or questions, I would entertain a motion, please.

MR. CROSS: So just a point of clarification to you guys, right? The Zone Map Amendment that you guys are hearing today is only for the 16 acres. So everything else associated with this development will come back to you for a future meeting. So it is -- like as far as if you have any -- from what you have seen on the renderings and stuff that they have given you, you know, anything of that that you are like, oh, you see something, the only thing

we are approving tonight is the 16 acres. So just so you guys know.

MS. MASON: I move to adopt the findings provided by staff and the justifications provided by the applicant to recommend approving the Zone Map Amendment from A-1 to R-3 for portions of PVA parcel 067-00-00-028.00, approximately 16.10 acres. The acreage may be adjusted for right-of-way. And we are going to include all exhibits, requested variances, and Means Drive will be a secondary access.

CHAIRMAN QUINN: We have a motion by Ms. Mason.

MR. RILEY: Second.

CHAIRMAN QUINN: Second by Mr. Riley.

Call the roll, please.

MS. TEATER: Shane Floyd.

MR. FLOYD: Yes.

MS. TEATER: Jared Hager.

MR. HAGER: Yes, ma'am.

MS. TEATER: Ron Shearer.

MR. SHEARER: Yes, ma'am.

MS. TEATER: Paula Elder.

MS. ELDER: Yes, ma'am.

MS. TEATER: Lawrence Riley.

MR. RILEY: Yes.

MS. TEATER: Ruby Mason.

MS. MASON: Yes, ma'am.

MS. TEATER: Brian Welch.

MR. WELCH: Yes.

MS. TEATER: The motion approved.

MS. MASON: Do we need one for the final development plan?

MR. CROSS: Yes, ma'am. And I would just make it your -- what you added to your motion, the "all --"

MS. MASON: Include the same --

MR. CROSS: Yes.

MS. MASON: -- information?

MR. FLOYD: Except the variance.

MR. CROSS: She approved it. She said, "All exhibits and requested variances and to include the Means Drive." So if you just add that same tag-on, if you are so moved.

MS. MASON: Move to conditionally approve, pending the Zone Map Amendment execution by the City Commission, the final

development plan for portions of PVA parcel 067-00-00-028.00, approximately 16.10 acres, acreage may be adjusted for right-of-way, located at 3213 Lexington Road, subject to the above-listed conditions, to include all exhibits, requested variances, Means Drive will be a secondary access.

CHAIRMAN QUINN: We have a motion by Ms. Mason.

MR. RILEY: Second.

CHAIRMAN QUINN: Second by Mr. Riley.

All in favor?

(Aye)

MR. CHAIRMAN: Opposed?

(No response)

(Proceeding concluded at 5:42 p.m.)

****

C E R T I F I C A T E

I, LISA MARIE COLSTON, FCRR, RPR, and Notary Public in and for the Commonwealth of Kentucky at-large, hereby certify that the foregoing record represents the original record of the proceedings of the City of Nicholasville Planning Commission; the record is an accurate and complete recording of the proceeding; and a transcript of this record has been produced and delivered to the City of Nicholasville Planning Commission.

IN WITNESS WHEREOF, I have affixed my signature and seal this 22nd day of May, 2025.

/s/ Lisa M. Colston
Lisa Marie Colston, FCRR, RPR
Notary Public, State-at-Large
Notary ID 63575

My Commission Expires: January 20, 2027

LEGAL DESCRIPTION

PARCEL A

A certain tract of land located in Jessamine County, Kentucky, situated along US 27, Lexington Road near the City of Nicholasville, and being more particularly described as follows:

The **POINT OF BEGINNING, (P.O.B.)** at an Iron Pin and Cap, in the existing right of way of US 27, Lexington Road, 100.02 feet left of centerline station 253+92.05, corner to lands of Joseph Clay Leavell and Sarah Marie Leavell, thence leaving the lands of Joseph Clay Leavell and Sarah Marie Leavell and continuing with the existing right of way of US 27, Lexington Road;

South 21°55'17" West 344.35 feet to an Iron Pin and Cap, 100 feet left of centerline station 250+50, thence;

South 15°20'42" West 351.12 feet to an Iron Pin and Cap, 80 feet left of centerline station 247+00, thence;

South 18°33'26" West 200.00 feet to an Iron Pin and Cap, 80 feet left of centerline station 245+00, thence;

South 25°23'58" West 251.81 feet to an Iron Pin and Cap, 110 feet left of centerline station 242+50, thence;

South 16°15'59" West 250.19 feet to an Iron Pin and Cap, 100 feet left of centerline station 240+00, thence;

South 07°14'42" West 101.96 feet to an Iron Pin and Cap, 80 feet left of centerline station 239+00, thence;

South 18°33'26" West 400.00 feet to an Iron Pin and Cap, 80 feet left of centerline station 235+00, thence;

South 18°53'25" West 22.86 feet to an Iron Pin and Cap, 80 feet left of centerline station 234+77.14, corner to lands of MAN 'O WAR DEVELOPMENT, LLC #3 (Plat Cabinet 9, Slide 98) (D.B. 483, PG. 37), thence leaving the existing right of way of US 27, Lexington Road with lands of MAN 'O WAR DEVELOPMENT, LLC #3, in part, (Plat Cabinet 9, Slide 98) (D.B. 483, PG. 37) and lands of COMMERCE CENTER UNIT 2, in part, (Plat Cabinet 11, Slide 655);

North 58°36'57" West 1966.96 feet to an Iron Pin and Cap, in the existing right of way of Southern Railroad, thence leaving lands of COMMERCE CENTER UNIT 2, and continuing with the existing right of way of Southern Railroad;

North 18°45'47" East 1858.53 feet to an Iron Pin and Cap, corner to lands of Joseph Clay Leavell and Sarah Marie Leavell, thence leaving the existing right of way of Southern Railroad, and continuing with the lands of Joseph Clay Leavell and Sarah Marie Leavell;

South 60°15'30" East 1948.88 feet to the **POINT OF BEGINNING (P.O.B.)** containing 82.61± Acres of land and being the remaining property conveyed to DWH PROPERTIES, LLC, from Dorothy Wilder Howard, by deed, dated January 2, 2007 and recorded in Deed Book 593, Page 261, in the Jessamine County Clerk's Office.

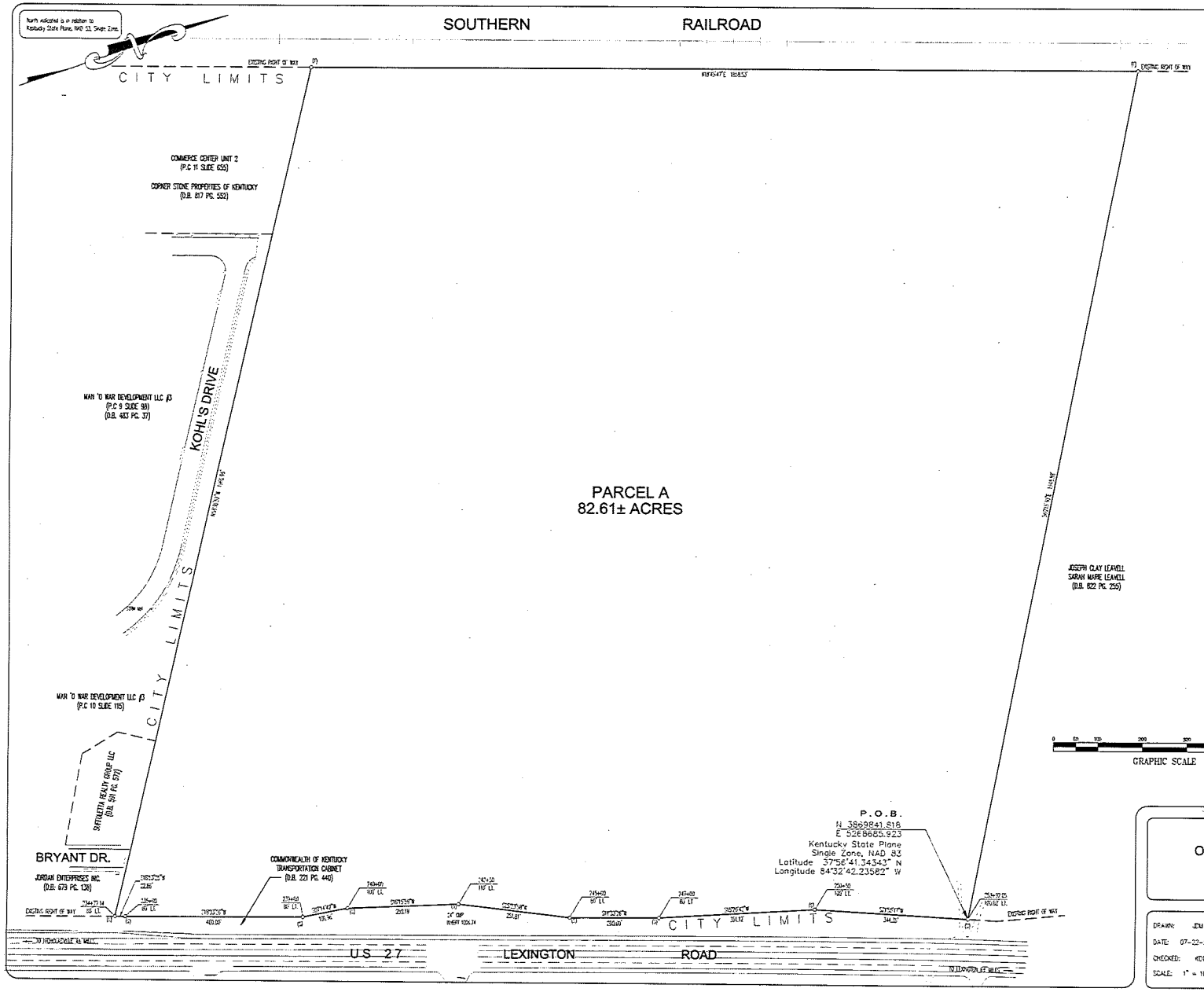
STATEMENT OF RESOURCES

The property described above was computed from existing plats of record and descriptions of annexation of Jessamine County Clerk's records and filed as Ordinance Number .

Coordinates and bearings are from Kentucky State Plane by GPS observations and mapping of the City of Nicholasville, Kentucky and are, Kentucky Single Zone, NAD 83.

#3349 7/25/25

Signature PLS Number Date



STATEMENT OF RESOURCES

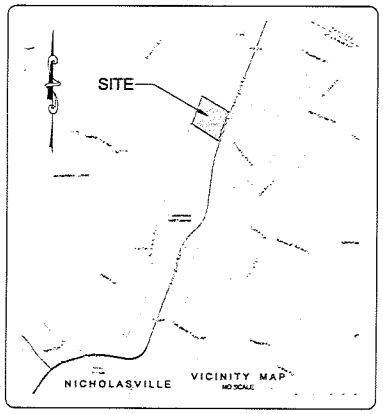
The property depicted was compiled from existing plat of survey and descriptions prepared for annexation of city of Nicholasville records and filed as Ordinance Number 194-2025. Coordinates and bearings are from survey of PARCEL A, and are relative to Kentucky State Plane Coordinate System, Single Zone, NAD 83.

SURVEYOR'S CERTIFICATION

I hereby certify this plat was prepared by me or under my direct supervision, and that all information included on this plat is true and correct to the best of my knowledge and belief. The information contained here was compiled for the City of Nicholasville, KY, Ordinance No. 194-2025. This plat depicts an annexation of a tract or parcel of land contiguous to the existing corporate limits of the City of Nicholasville, Kentucky and has been filed in the Jessamine County Clerk's Office. This plat prepared from actual survey on the ground and is prepared for informational purposes only. All monuments were found or set as indicated in preparation of this plat.

Signature PLS Number Date

STATE OF KENTUCKY
LICENSED PROFESSIONAL LAND SURVEYOR



LEGEND

P.O.B. – Point of Beginning
– Adjoining Property Boundary
– Property Boundary
– Existing City Limits
– Railroad

ANNEXATION PLAT
OF
ORDINANCE NO. 205-2025
FOR
CITY OF NICHOLASVILLE
Nicholasville, KY 40356

REVISION	DATE

DRAWN: JCM
DATE: 07-22-2025
CHECKED: KDC
SCALE: 1" = 100'

Palmer ENGINEERING
400 Shoppers Drive – P.O. Box 747
Winchester, KY 40392
(859) 744-1212

SHEET NO.
EXHIBIT A