#### **ORDINANCE 025-2020**

AN ORDINANCE ESTABLISHING A DECREE OF ANNEXATION OF 8.91 ACRES OF REAL PROPERTY LOCATED IN THE NORTHEAST QUADRANT OF THE INTERSECTION OF US 27 SOUTH AND SCOTT ROAD INTO THE CITY OF NICHOLASVILLE, KENTUCKY

WHEREAS, on April 29, 2020, the owners and only occupants of the subject property consented in writing to its annexation (see Exhibit "A") pursuant to KRS 81A.412, thereby making the adoption of an Ordinance of Intent to Annex unnecessary;

WHEREAS, no protest or petition has been filed with the Mayor of the City of Nicholasville;

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

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

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

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 herein as Exhibit "B" is annexed into the City Limits of the City of Nicholasville, Jessamine County, Kentucky and a map is attached hereto and identified as Exhibit "C", in accordance with KRS 81A.420.

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

FIRST READING (INTRODUCTION): November 9, 2020

SECOND READING AND ADOPTION: November 19, 2020

Pete Sutherland, Mayor

Attest:

Kathy Walker, City Clerk

RECEIVED AND FILED

DATE ( ) anuary 19, 202

MICHAEL G. ADAMS
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY

BY Landia A

#### **ORDINANCE 025-2020**

#### **SUMMARY**

AN ORDINANCE ESTABLISHING A DECREE OF ANNEXATION OF 8.91 ACRES OF REAL PROPERTY LOCATED IN THE NORTHEAST QUADRANT OF THE INTERSECTION OF US 27 SOUTH AND SCOTT ROAD INTO THE CITY OF NICHOLASVILLE, KENTUCKY.

This Ordinance establishes a decree of annexation of the property located in the Northeast quadrant of the intersection of US 27 South and Scott Road into the City of Nicholasville, Kentucky.

#### THURSDAY, NOV. 26, 2020 A9

NOTICE OF ENACTMENT OF ORDINANCE

Notice is hereby given that on November 19, 2020, the Nicho-lasville City Commission enact-

ed an ordinance, the full text of which is available for inspection in the office of the City Clerk, 1517 North Main Street, Nicholasville, KY. The ordinance by title and summary: ORDINANCE 026-2020: AN ORDINANCE 05-2020: AN ORDINANCE OF ANNEXATION OF 8,91 ACRES OF REAL PROPERTY LOGATED IN THE NORTH-EAST QUADRANT OF THE INTERSECTION OF US 27 SOUTH AND SCOTT ROAD INTO THE CITY OF NICHOLASVILLE, KENTUCKY. (This Ordinance establishes a decree

of annexation of the property located in the Northeast quad-rant of the intersection of US 27 South and Scott Road into the City of Nicholasville, Kentucky.)

This ad was paid for by the City of Nicholasville using tax-payer dollars in the amount of \$242.80.

## Publisher's Certificate of Publication

### STATE OF KENTUCKY

Kevin Smith, 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:

#### 11/26/20

- 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

Kevin Smith, publisher

Subscribed and sworn to before me this 26th Day of November, 2020

Dale Hatton 605969 Commission Expires 8-2-2022

Account # Ad # 1148123

CITY OF NICHOLASVILLE PO BOX 41482 NICHOLASVILLE KY 41482 **PUBLIC NOTICE** 

## NOTICE OF ENACTMENT OF ORDINANCE

Notice is hereby given that on November 19, 2020, the Nicholasville City Commission enacted an ordinance, the full 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 024-2020: AN ORDINANCE AMENDING THE OFFICIAL ZONING MAPFOR THE CITY OF NICHOLASVILLE FROM A-1 (AGRICULTURE DISTRICT) TO B-2 (HIGHWAY BUSINESS DISTRICT) FOR APPROXIMATELY 1.89 ACRES OF PROPERTY LOCATED ON A PORTION OF 3036 LEXINGTON ROAD (PVA PARCEL #068-00-00-012.00), NICHOLASVILLE, KY 40356. (This ordinance amends the Official Zoning Map of the City of Nicholasville Planning Commission text of which is available for asville in accordance with the recommendation of the Nicholasville Planning Commission to approve the zone change request submitted by RALPH L. AND LAURA C. STOKLEY. ON MOTION OF MR. FITE AND SECONDED BY MS. MASON, THE PLANNING COMMISSION VOTED 5-0 TO RECOMMEND APPROVAL FOR RALH L. AND LAURA C. STOKLEY, 4028 PEPPERTREE DRIVE, LEXINGTON, KY 40513, FOR A ZONING MAP AMENDMENT FROM A-1 (AGRIGULTURE DISTRICT) TO B-2 (HIGHWAY BUSINESS DISTRICT) FOR APPROXIMATELY 1.89 ACRES OF PROPERTY LOCATED ON A PORTION OF 3036 LEXINGTON ROAD, PVA PARCEL #068-00-00-012.00; TO INCLUDE STAFF COMMENTS ON PAGES 1-6; TO WAIVE THE SCREENING TO THE NORTH AND TO THE EAST AND ALSO BE CONDITIONAL ON WHATEVER THE BOARD OF ADJUSTMENT SUGGEST; AND THAT THE FINDINGS OF FACT BE INCORPORATED INTO THE MOTION.) recommendation of the Nich-

Kathy Walker, City Clerk November 26, 2020

# NOTICE OF ENACTMENT OF ORDINANCE

Notice is hereby given that on November 19, 2020, the Nicholasville City Commission enacted an ordinance, the full text of which is available for inspection 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 025-2020: AN ORDINANCE ESTABLISHING A DECREE OF ANNEXATION OF 8,91 ACRES OF REAL PROPERTY LOCATED IN THE NORTH- EAST QUADRANT OF THE INTERSECTION OF US 27 SOUTH AND SCOTT ROAD INTO THE CITY OF NICHOLASVILLE, KENTUCKY. (This Ordinance establishes a decree of annexation of the property located in the Northeast quad-rant of the intersection of US 27 South and Scott Road into the City of Nicholasville, Kentucky.)

This ad was paid for by the City of Nicholasville using taxpayer dollars in the amount of \$242.80.

Kathy Walker, City Clerk November 26, 2020

Jessamine Journal: ORD 024-2020 025-2020

## **ANNEXATION CONSENT**

The undersigned, after first being duly sworn, state that they are the owners of the property described in Exhibit "A" for which they are requesting annexation by the City of Nicholasville. Pursuant to KRS 81A.412, they give their consent, as owners, for annexation of this property by the City of Nicholasville.

LAY M. CORMAN

TOOD A. JENKINS

CHERYLA JENKINS

# COMMONWEALTH OF KENTUCKY COUNTY OF JESSAMINE, SCT ...

Subscribed, sworn to and acknowledged before me by Clay M. Corman, Todd A. Jenkins and Cheryl A. Jenkins on April  $\mathcal{P}_1$ , 2020.

My Commission expires: 5 26 20

Notary Public-Kentucky

No.

# ANNEXATION BOUNDARY CLAY M. CORMAN & TODD A. JENKINS PROPERTY US 27 & SCOTT ROAD

All that tract or parcel of land being situated in the northeasterly quadrant of the intersection of US 27 and Scott Road, being situated southerly of and adjacent to the existing corporate limits of Nicholasville, Jessamine County, Kentucky and being more particularly described as follows, TO WIT:

Beginning at the centerline intersection of US 27 and Scott Road, thence with the centerline of US 27, N 30°38'48" E - 781.50' to a point, said point being on the existing corporate limits of the City of Nicholasville (Ordinance 926-2015), thence leaving the centerline of US 27 and continuing with the existing corporate limits of the City of Nicholasville, S 67°37'12" E - 111.15' to a point on the existing easterly right-of-way of US 27, common corner to Ramsey Realty, LLC (D.B. 712; P. 294, P.C. 11; Sl. 363), thence continuing with the existing corporate limits of the City of Nicholasville and the common line of Ramsey, S 65°55'40" E - 303.46' to a point, common corner to Brian D. & Micheal H. Stephens (D.B. 580; P. 363, P.C. 8; Sl. 651), thence leaving the existing corporate limits of the City of Nicholasville and continuing with the common line of Stephens, S 23°02'45" W - 913.63' to a point in the centerline of Scott Road, thence with the centerline of Scott Road, N 42°45'50" W - 152.60' to a point, thence along a curve to the left having a radius of 716.20' for an arc distance of 207.37' and having a chord bearing N 51°03'31" W - 206.65' to a point, thence N 59°21'12" W - 181.58' to the beginning and containing 8.91 acres (Gross) or 6.51 acres (Net).

Being a portion of the property conveyed to Clay M. Corman and Todd A. Jenkins by deed dated April 28, 2010 and recorded in Deed Book 637; Page 234 in the office of the Jessamine County Clerk.

## **EXHIBIT** "A"

#### BRUCE E. SMITH LAW OFFICES, PLLC

#### 201 SOUTH MAIN STREET NICHOLASVILLE, KENTUCKY 40356 (859) 885-3393 + (859) 885-1152 FAX

BRUCE E. SMITH bruce@smithlawoffice.net

HENRY E. SMITH henry@smithlawoffice.net

April 29, 2020

City Clerk Kathy Walker City of Nicholasville 517 North Main Street Nicholasville, Kentucky 40356

Re:

Corman-Jenkins Property

US 27 South and Scott Road

Dear Kathy:

We talked recently about the annexation of this property by the City in conjunction with a zone change request heard by the Nicholasville Planning Commission on April 27, 2020.

I am enclosing an Annexation Consent which obviates the need for passage of an "intent to annex" ordinance by the City Commission regarding this property.

Banks Engineering, Inc. will be handling the rest of the work with you and when the annexed territory is submitted to Frankfort.

Call if you have any questions.

Sincerely

Bruce F. Smith

Enclosure

cc: Darren T. Sammons, Esq.

Jason Banks Cody Brown

#### **ORDINANCE 009-2020**

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP FOR THE CITY OF NICHOLASVILLE FROM A-1 (COUNTY) AGRICULTURE DISTRICT TO I-1 (CITY) LIGHT INDUSTRIAL DISTRICT FOR PVA PARCEL #048-00-00-058.00 WHICH IS LOCATED AT THE INTERSECTION OF SCOTT ROAD AND US 27/DANVILLE ROAD; CONSISTING OF APPROXIMATELY 6.51 ACRES.

WHEREAS, the Nicholasville Planning Commission held a public hearing via videoconference on April 27, 2020, concerning certain amendments to the Official Zoning Map for the City of Nicholasville and recommended as follows:

ON MOTION OF MR. FITE AND SECONDED BY MR. FREDERICK, THE PLANNING COMMISSION VOTED 7-0 WITH 1 ABSTENTION (OAG 78-619 SAYS WHERE A QUORUM IS PRESENT, THOSE MEMBERS WHO ABSTAIN FROM VOTING ARE COUNTED WITH THE MAJORITY VOTE, EITHER "FOR" OR "AGAINST" A MEASURE; THIS WOULD MAKE THE FINAL VOTE 8-0) TO RECOMMEND APPROVAL OF A ZONING MAP AMENDMENT FOR CLAY CORMAN, 1151 JESSAMINE STATION, NICHOLASVILLE, KY 40356, FROM A-1 (COUNTY) AGRICULTURE DISTRICT TO 1-1 (CITY) LIGHT INDUSTRIAL DISTRICT FOR PVA PARCEL #048-00-00-058.00 WHICH IS LOCATED AT THE INTERSECTION OF SCOTT ROAD AND US/27 DANVILLE ROAD, CONSISTING OF APPROXIMATELY 6.51 ACRES; TO INCLUDE STAFF COMMENTS; AND ALSO INCLUDE THE FINDINGS THAT WERE SUBMITTED BY ATTORNEY BRUCE SMITH.

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 that the above recommendation by the Nicholasville Planning Commission be adopted and approved as well as the Findings of Fact and Conclusions of the Nicholasville Planning Commission, which are incorporated by reference herein.

The Nicholasville Zoning Enforcement Officer is hereby directed to change the Official Zoning Map of the City of Nicholasville to be consistent with the above recommendation.

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

FIRST READING (INTRODUCTION):

May 18, 2020

SECOND READING AND ADOPTION:

June 8, 2020

Pete Sutherland Mayo

Attest:

Wathy Walker, City Clerk

#### ORDINANCE 009-2020

#### SUMMARY OF ORDINANCE

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP FOR THE CITY OF NICHOLASVILLE FROM A-1 (COUNTY) AGRICULTURE DISTRICT TO I-1 (CITY) LIGHT INDUSTRIAL DISTRICT FOR PVA PARCEL #048-00-00-058.00 WHICH IS LOCATED AT THE INTERSECTION OF SCOTT ROAD AND US 27/DANVILLE ROAD; CONSISTING OF APPROXIMATELY 6.51 ACRES.

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 change request submitted by CLAY CORMAN. ON MOTION OF MR. FITE AND SECONDED BY MR. FREDERICK, THE PLANNING COMMISSION VOTED 7-0 WITH 1 ABSTENTION (OAG 78-619 SAYS WHERE A QUORUM IS PRESENT, THOSE MEMBERS WHO ABSTAIN FROM VOTING ARE COUNTED WITH THE MAJORITY VOTE, EITHER "FOR" OR "AGAINST" A MEASURE; THIS WOULD MAKE THE FINAL VOTE 8-0) TO RECOMMEND APPROVAL OF A ZONING MAP AMENDMENT FOR CLAY CORMAN, 1151 JESSAMINE STATION, NICHOLASVILLE, KY 40356, FROM A-1 (COUNTY) AGRICULTURE DISTRICT TO I-1 (CITY) LIGHT INDUSTRIAL DISTRICT FOR PVA PARCEL #048-00-00-058.00 WHICH IS LOCATED AT THE INTERSECTION OF SCOTT ROAD AND US/27 DANVILLE ROAD, CONSISTING OF APPROXIMATELY 6.51 ACRES; TO INCLUDE STAFF COMMENTS; AND ALSO INCLUDE THE FINDINGS THAT WERE SUBMITTED BY ATTORNEY BRUCE SMITH.



NOTICE OF ENACTMENT OF ORDINANCE

NOTICE OF ENACTMENT OF ORDINANCE

Notice is hereby given that the Nicholasyille City Commission on June 8, 2020 enacted an ordinance, the fult text of which is available for inspection in the office of the City Clerk, 517 North Main Street, Nicholasyille, KY. The ordinance by title and summary ORDINANCE 009-2020:

AN ORDINANCE 009-2020:
AN ORDINANCE AMENDING THE OFFICIAL ZONING MAPFOR THE CITY OF NICHOLASVILLE FROM A-1 (COUNTY) AGRICULTURE DISTRICT TO I-1 (CITY) LIGHT INDUSTRIAL DISTRICT FOR PVA PARCEL #048-00-00-658-00 WHICH IS LOCATED AT THE INTERSECTION OF SCOTT ROAD AND US 27/DANVILLE ROAD; CONSISTING OF APPROXIMATELY 6.51 ACRES. (This ordinance amends the Official Zoning Map of the City of Nicholasyille in accordance with the recommendation of the Nicholasyille Planning Commission to approve the zone change request submitted by CLAY CORMAN. ON MOTION Nicholasville Planning Cormission to approve the zone change request submitted by CLAY CORMAN. ON MOTION OF MR. FITE AND SECONDED BY MR. FREDERICK, THE PLANNING COMMISSION VOTED 7-0 WITH 1 ABSTENTION (OAG 78-819 SAYS WHERE A QUORUM IS PRESENT, THOSE MEMBERS WHO ABSTAIN FROM VOTING ARE COUNTED WITH THE MAJORITY VOTE, EITHER "FOR" OR "AGAINST" A MEASURE, THIS WOULD MAKE THE FINAL VOTE 8-0) TO RECOMMEND APPROVAL OF A ZONING MAP AMENDMENT FOR CLAY CORMAN, 1151 JESSAMINE STATION, NICHOLASVILLE, KY 40356, FROM A-1 (COUNTY) AGRICULTURE DISTRICT TO I-1 (CITY) LIGHT INDUSTRIAL DISTRICT FOR PVA PARCEL #048-00-00-058-00 WHICH IS LOCATED AT THE INTERSECTION OF SCOTT ROAD AND US/Z7 DANVILLE ROAD, CONSISTING OF APPROXIMATELY 6.51 ACRES, TO INCLUDE STAFF COMMENTS; AND ALSO INCLUDE SUBMITTED BY ATTORNEY BRUCE SMITH.)

Kathy Walker, City Clerk June 18, 2020

## **Publisher's Certificate of Publication**

#### STATE OF KENTUCKY

Mike Caldwell, 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 Winchester Sun and 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:

06/15/20, 06/16/20, 06/17/20, 06/18/20

- 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

D- Man & Course

Mike Caldwell, publisher

Subscribed and sworn to before me this 18th Day of June, 2020

Dale Hatter

Dale Hatton 605969

Commission Expires 8-2-2022

Account # Ad # 1061955

CITY OF NICHOLASVILLE PO BOX 41482 NICHOLASVILLE KY 40356 NOTICE OF ENACTMENT OF ORDINANCE

Notice is hereby given that the Nicholasville City Commission on June 8, 2020 enacted an oron June 8, 202U 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 by title and summary Ordinance by title and summary Ordinance amending The Official Zoning Map FOR THE CITY OF NICHOLASVILLE FROM A-1 (COUNTRIAL DISTRICT FOR PVA PARCEL #048-00-00-058.00 WHICH IS LOCATED AT THE INTERSECTION OF SCOTT ROAD AND US 27/DANVILLE ROAD; CONSISTING OF APPROXIMATELY 6.51 ACRES, (This ordinance amends the Official Zoning Map of the City of Nicholasville Planning Commission to approve the zone change request submitted by CLAY CORMAN. ON MOTION OF MR. FITE AND SECONDED BY MR. FREDERICK, THE PLANNING COMMISSION VOTED 7-0 WITH 1 ABSTENTION (OAG 78-619 SAYS WHERE A QUORUM IS PRESENT, THOSE MEMBERS WHO ABSTAIN FROM VOTING ARE COUNTED WITH THE MAJORITY VOTE, EITHER FOR OR "AGAINST" A MEASURE; THIS WOULD MAKE THE FINAL VOTE 8-0) TO RECOMMEND APPROVAL OF A ZONING MAP AMENDMENT FOR CLAY CORMAN, 1151 JESSAMINE STATION, NICHOLASVILLE, KY 40356, FROM A-1 (COUNTY) AGRICULTURE DISTRICT TO I-1 (CITY) LIGHT INDUSTRIAL DISTRICT FOR PVA PARCEL #048-00-00-058.00 WHICH IS LOCATED AT THE INTERSECTION OF SCOTT ROAD AND US/27 DANVILLE ROAD, CONSISTING OF APPROXIMATELY 6.51 ACRES; TO INCLUDE STAFF COMMENTS; AND ALSO INCLUDE THE FINDINGS THAT WERE SUBMITTED BY ATTORNEY BRUCE SMITH.)

Kathy Walker, City Clerk

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Roofing and Guttering

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#### Public Notices

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Johnny M. Collier

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Song A Blick



DATE:

May 11, 2020

**МЕМО ТО:** 

NICHOLASVILLE BOARD OF COMMISSION

FROM:

MICHAEL EAKINS, ACTING PLANNING DIRECTOR

SUBJECT:

CLAY M. CORMAN, 1151 JESSAMINE STATION, NICHOLASVILLE, KY 40356 FILED AN APPLICATION FOR A ZONE MAP AMENDMENT FROM A-I (COUNTY) AGRICULTURE DISTRICT TO I-I(CITY) LIGHT INDUSTRIAL DISTRICT FOR PVA PARCEL #048-00-00-058.00 WHICH IS LOCATED AT THE INTERSECTION OF SCOTT ROAD AND US 27/DANVILLE ROAD; CONSISTING

OF APPROXIMATELY 6.51 ACRES.

The following information has been included concerning this Zone Map Amendment (Zone Change):

- a) The recommendation from the Nicholasville Planning Commission to approve this zone change request is on page 1.
- b) A copy of the staff comments, pertaining to the zone change request and the Final Development Plan, is on pages 2-4.
- c) A copy of the Justifications "Findings of Fact" for zone change request is on pages 5-7.
- e) Final Development Plan, Clay M. Corman & Todd A. Jenkins Property, Scott Road, Jessamine County, Kentucky; refer to Exhibit B.
- h) A copy of the transcript from the public hearing, held on April 27, 2020 at 7:02 P.M. via videoconference, concerning this zone map amendment request is included with this recommendation packet.

If you have any questions concerning this material please contact me.

#### A RECOMMENDATION TO: THE NICHOLASVILLE BOARD OF COMMISSION

SUBJECT:

CLAY M. CORMAN, 1150 JESSAMINE STATION, NICHOLASVILLE, KENTUCKY 40356 FILED AN APPLICATION FOR A ZONE MAP AMENDMENT FROM A-1 (COUNTY) AGRICULTURE DISTRICT TO I-1 (CITY) LIGHT INDUSTRIAL DISTRICT FOR PVA PARCEL #048-00-00-058.00 WHICH IS LOCATED AT THE INTERSECTION OF SCOTT ROAD AND US 27/DANVILLE ROAD; CONSISTING OFAPPROXIMATELY 6.51 ACRES.

Due to the Covid-19 Health Pandemic the Nicholasville Planning Commission, after having properly advertised, held a public hearing via videoconference on April 27, 2020 at 7:02 P.M. The public was welcome to join the meeting using the following link <a href="https://zoom.us/j/688451490">https://zoom.us/j/688451490</a>.

On motion of Mr. Fite and seconded by Mr. Frederick, the Planning Commission voted 7-0, with 1 abstention (OAG 78-619 says where a quorum is present, those members who abstain from voting are counted with the majority vote, either "for" or "against" a measure; this would make the final vote 8-0) to recommend approval of a Zoning Map Amendment for Clay Corman, 1151 Jessamine Station, Nicholasville, KY 40356, from A-1 (County) Agriculture District to I-1 (City) Light Industrial District for PVA Parcel #048-00-00-058.00 which is located at the intersection of Scott Road and US 27/Danville Road; consisting of approximately 6.51 acres; to include staff comments; and also include the findings that were submitted by Attorney Bruce Smith.

All those property owners whose names were submitted by the applicant were notified by certified mail of this zone change request.

PLEASE NOTE THAT KRS 100.211 REQUIRES THAT THE CITY COMMISSION TAKE FINAL ACTION ON THIS ZONE CHANGE WITHIN SIXTY (60) DAYS OF THE DATE OF RECEIPT OF THE ADMINISTRATIVELY COMPLETE PROPOSED AMENDMENT.

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TO:

**NPC MEMBERS** 

SUBJECT:

ZONE CHANGE REQUEST
A-1 (COUNTY) TO 1-1 (CITY)
CLAY M. CORMAN – APPLICANT

CLAY M. CORMAN & TODD JENKINS - OWNER

#### AGENDA ITEM IV – ZONING MAP AMENDMENT

Location:

Located at the intersection of Scott Road and US 27/Danville Road

(PVA Parcel #048-00-00-058.00)

Nicholasville, Kentucky

(Refer to the Final Development Plan labeled Exhibit B)

Background:

1. Clay M. Corman, 1151 Jessamine Station, Nicholasville, KY 40356, has filed an application for a Zone Map Amendment from A-1 (County)

Agriculture District to I-1 (City) Light Industrial District for PVA Parcel #048-00-00-058.00 which is located at the intersection of Scott Road and US 27/Danville Road; consisting of approximately 6.51 acres of property.

NOTE: A Final Development Plan has been submitted in conjunction with this zone change request (Refer to the Final Development Plan labeled Exhibit B). The Planning Commission shall either approve or disapprove the development plan in accordance with Section 1350.1 PLANNING COMMISSION and shall make findings of fact to support the decision.

2. The property is contiguous to the following zones:

	ZONE	EXISTING USE
North	I-1 (City)	Industrial
East	A-1 (County)	Agricultural
South	A-1 (County)	Agricultural
West	I-1 (County) A-1 (County)	Industrial Commercial

- 3. The Wilmore-Nicholasville-Jessamine County 2017 Joint Comprehensive Plan Current Land Use Map designates this as Agriculture.
- 4. Adjoining property owners (list submitted by the applicant) have been notified by certified mail.

5. The Staff has reviewed the Final Development Plan and there were no revisions to be made.

Findings necessary for proposed map amendment reconsideration (KRS 100.213):

- Before any map amendment is granted, the planning commission or the legislative body of fiscal court must find that the map amendment is in agreement with the adopted comprehensive plan, or in the absence of such a finding, that one (1) or more of the following apply and such finding shall be recorded in the minutes and records of the planning commission or the legislative body or fiscal court:
  - (a) That the existing zoning classification given to the property is inappropriate and that the proposed zoning classification is appropriate;
  - (b) 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.
- 2. The planning commission, legislative body, or fiscal court may adopt provisions which prohibit for a period of two (2) years, the reconsideration of a denied map amendment or the consideration of a map amendment identical to a denied map amendment.

#### Considerations:

- 1. See applicant's Justifications pages 27-29.
- The Planning Commission needs to consider whether or not this zone change request is in compliance with the City's Community Development Plan (Comprehensive Plan) as required by KRS 100.213 that was listed previously.
- 3. If the final development plan is approved, the Minutes of the Planning Commission shall specify that the development plan approval is void unless the appropriate legislative body approves the zoning map amendment. Once approved by the Planning Commission, the final development plan shall be followed and be a covenant running with the land. If the final development plan is disapproved by the Planning Commission and the zoning map amendment is subsequently approved by the legislative body, a final development plan must be resubmitted to the Planning Commission and approved before construction can begin (Portion of NZO Section 1530.23 Commission Action).
- 4. The Planning Commission shall act for approval, conditional approval with conditions noted, postponement, or disapproval of the final development plan. The Planning Commission may modify or disapprove the final development plan if it finds the plan does not

comply with the requirements of the Zoning Ordinance, and when applicable, the Subdivision Regulations, or if it finds there are existing or potential substantial flood drainage, traffic, topographic or other similar problems relating to the development of the subject property. Reasons for action of postponement or disapproval shall be fully incorporated in the Commission's minutes (Portions of NZO Section 1530.23 Commission Action). The following actions by the Planning Commission shall have the meaning so stated:

1530.231 Approval - Means the final development plan is ready to be certified by the Commission Chairperson with no further corrections or revisions of the plan required by the developer.

1530.232 Conditional Approval - Means the final development plan cannot be certified by the Commission Chairperson until the developer has complied with the conditions of approval set forth in the Planning Commission's action on the plan.

1530.233 Postponement - Means that the Commission has deferred action until some future Commission meeting in order that certain clarifications can be made in regard to the final development plan. No completely new re-submittal is required of the developer as is the case for disapproval.

1530.234 Disapproval - Means disapproval of the plan. To request new review and action, the developer must file a new application along with a filing fee, and plan copies as required under Section 1530.1 Filing.

sc ZMA Corman&Jenkins Property 04-27-20

#### **Corman Jenkins Property**

#### **ZONING CHANGE REQUEST: A-1 to I-1**

#### **JUSTIFICATION #1**

JUSTIFICATIONS FOR REQUESTED ZONE MAP AMENDMENT

The requested zone change from A-1 to I-1, Light Industrial for 6.51 acres of property ("Property), located on east side of US 27 South at its intersection with Scott Road, is in agreement with the text of the current (2017) Comprehensive Plan for Jessamine County / City of Nicholasville, including without limitation the following Goals and Objectives, in the following respects:

#### 1. Economic and Commercial Development

<u>Goal A</u> — 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.

Objective 1 – Seek out and designate the most appropriate sites for future notresidential development throughout the county.

Objective 3 – Ensure that adequate land is available for commercial and industrial expansion as well as new development. The requested zone change will supply land for the expansion of an existing industry that will provide a direct benefit to the economic base of Jessamine County by providing additional tax dollars and employment to its residents.

Objective 7- Minimize potential negative impacts of new commercial and industrial development on Jessamine County's natural environment as well as its historic sites

and features. The Property is not located within an environmentally sensitive area and does not contain any historic sites or features.

#### IV. Infrastructure and Community Facilities

Goal A - Properly maintain existing infrastructure to meet current and future needs.

Objective 2 – Coordinate development and growth with the appropriate utilities so as not to exceed capacity limitations.

All utilities necessary to service the construction intended for the Property are available and the subject project will not cause any capacity problems. The demand placed on water and sewage will be minimal. Adequately sized storm sewers and retention/detention basins will be constructed by the owner. Natural gas and electrical power are also adequate for the project.

#### **JUSTIFICATION #2**

The existing A-1 zoning classification of the Property is inappropriate and the proposed zoning classification of I-1, Light Industrial is appropriate for the following reasons:

- (1) The Property is located near existing light industrial uses and adjoins property zoned I-1, Light Industrial.
- (2) The Property is located on US 27 South which makes it accessible and appropriate for industrial use.
  - (3) The property is too small to farm in a financially feasible manner.

#### **JUSTIFICATION #3**

There have been major changes of an economic, physical and/or social nature within the area involved which were not anticipated in the current (2017) adopted Comprehensive Plan and which have substantially altered the basic character of the area. These include, without limitation, the following:

- (1) The construction and opening of the southern portion of the Eastern By-pass.
- Jessamine County (including Nicholasville) work outside the County. The latest KY State Data Center statistics indicate that 52% of Jessamine County's (including Nicholasville's) workers now commute outside the county for employment opportunities. The increase represents a massive export of employment tax dollars and a major and unanticipated change that has substantially altered the basic character of Nicholasville's revenue stream. It further illustrates a compelling need for the approval of the requested zone change in order to stop the loss of tax revenue.



UTILITY COMPANIES

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ZONE I-1 REQUIREMENTS (CITY)

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#### OWNER'S CERTIFICATION

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#### PLANNING COMMISSION CERTIFICATION

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#### TREE PLANTING SCHEDULE

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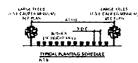
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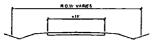
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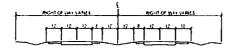
#### GENERAL NOTES

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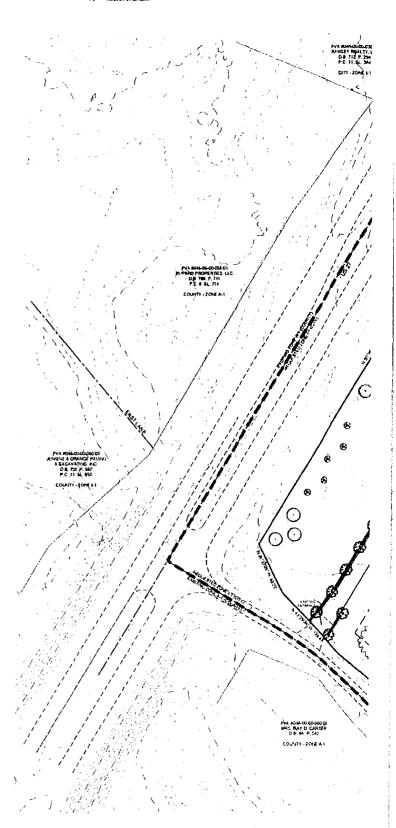




EXISTING SCOTT ROAD



U.S. 27





#### **CERTIFICATION OF ORDINANCE**

#### **ORDINANCE 025-2020**

I, Kathy Walker, certify I am the duly qualified City Clerk of the City of Nicholasville, Kentucky and the foregoing forty-one (41) pages of Ordinance 025-2020 is a true, correct and complete copy duly adopted by the City Commission at a duly convened meeting held on November 19, 2020 all as appears in the official records of said city.

WITNESS, my hand and the Seal of the City of Nicholasville, this 15th day of January, 2021.

Kathy Walker City Clerk

Seal

# ADDITIONAL DOCUMENTS INCLUDED WITH SUBMISSION.

To research the filing, contact the Office of Secretary of State.

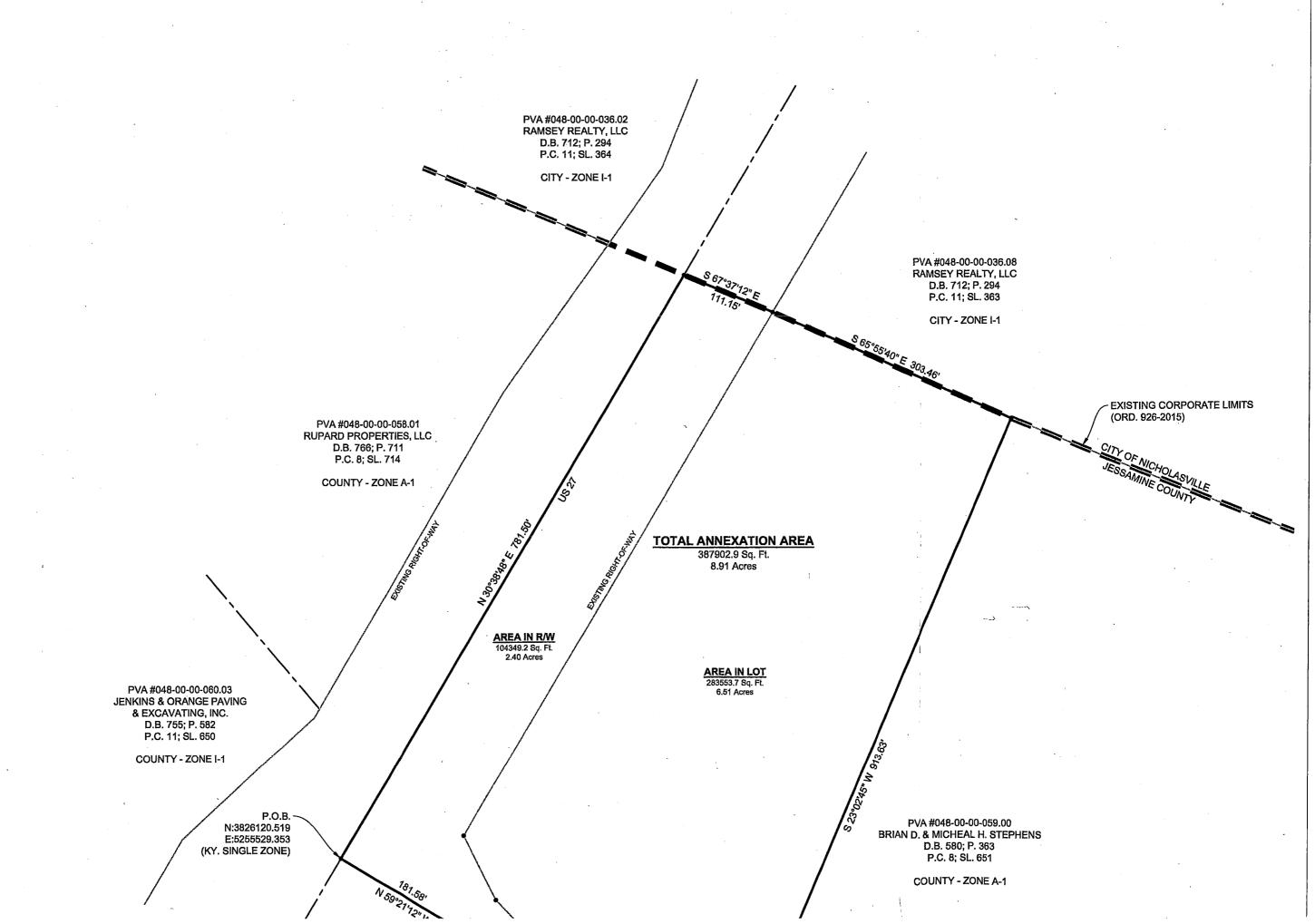
# ANNEXATION BOUNDARY CLAY M. CORMAN & TODD A. JENKINS PROPERTY US 27 & SCOTT ROAD

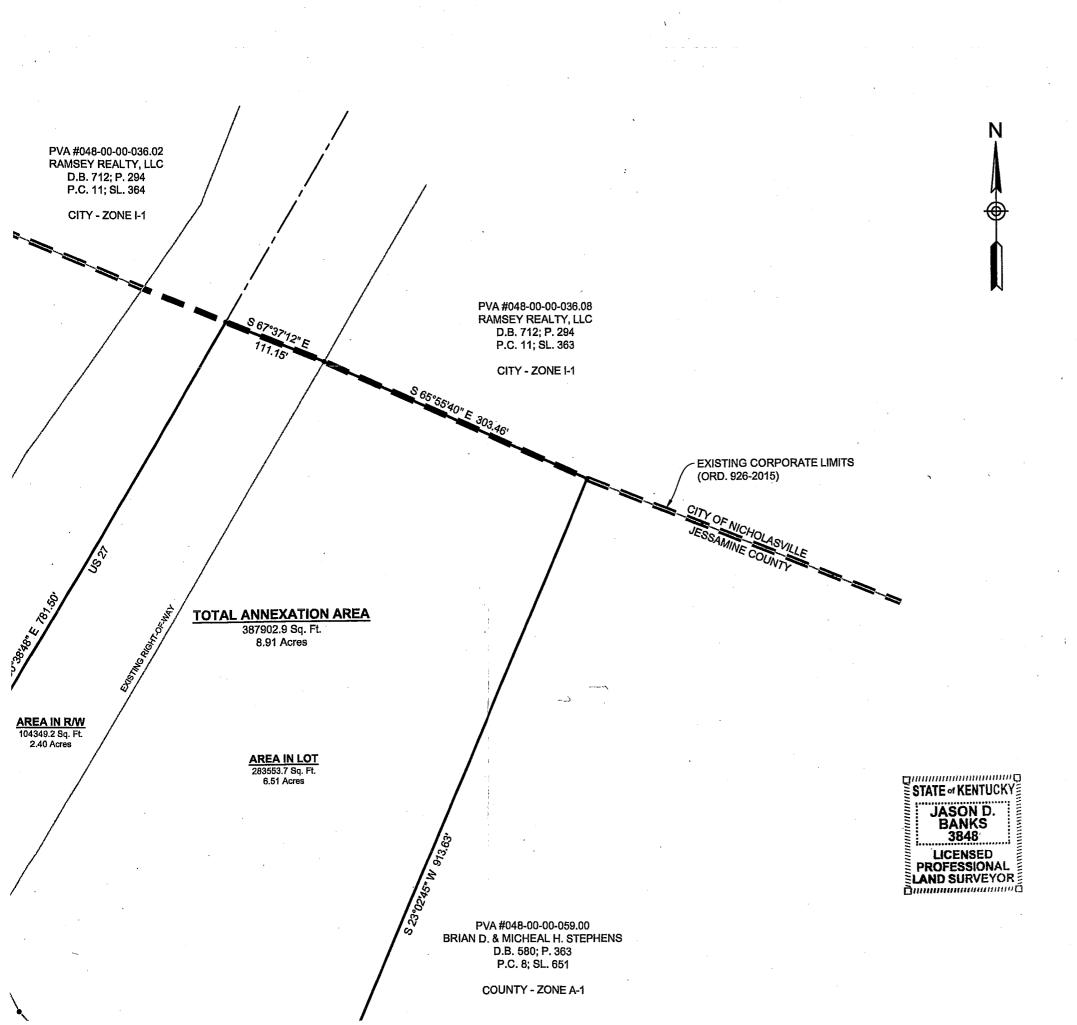
All that tract or parcel of land being situated in the northeasterly quadrant of the intersection of US 27 and Scott Road, being situated southerly of and adjacent to the existing corporate limits of Nicholasville, Jessamine County, Kentucky and being more particularly described as follows, TO WIT:

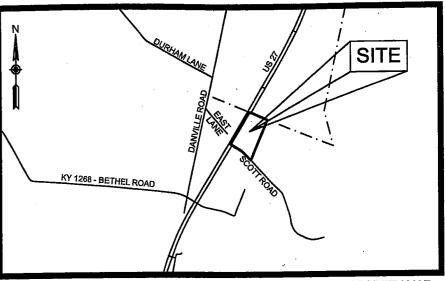
Beginning at the centerline intersection of US 27 and Scott Road, thence with the centerline of US 27, N 30°38′48″ E - 781.50′ to a point, said point being on the existing corporate limits of the City of Nicholasville (Ordinance 926-2015), thence leaving the centerline of US 27 and continuing with the existing corporate limits of the City of Nicholasville, S 67°37′12″ E - 111.15′ to a point on the existing easterly right-of-way of US 27, common corner to Ramsey Realty, LLC (D.B. 712; P. 294, P.C. 11; Sl. 363), thence continuing with the existing corporate limits of the City of Nicholasville and the common line of Ramsey, S 65°55′40″ E - 303.46′ to a point, common corner to Brian D. & Micheal H. Stephens (D.B. 580; P. 363, P.C. 8; Sl. 651), thence leaving the existing corporate limits of the City of Nicholasville and continuing with the common line of Stephens, S 23°02′45″ W - 913.63′ to a point in the centerline of Scott Road, thence with the centerline of Scott Road, N 42°45′50″ W - 152.60′ to a point, thence along a curve to the left having a radius of 716.20′ for an arc distance of 207.37′ and having a chord bearing N 51°03′31″ W - 206.65′ to a point, thence N 59°21′12″ W - 181.58′ to the beginning and containing 8.91 acres (Gross) or 6.51 acres (Net).

Being a portion of the property conveyed to Clay M. Corman and Todd A. Jenkins by deed dated April 28, 2010 and recorded in Deed Book 637; Page 234 in the office of the Jessamine County Clerk.









VICINITY MAP (n.t.s.)

#### CERTIFICATE OF ACCURACY

I HEREBY CERTIFY THAT THE PLAT SHOWN AND DESCRIBED HEREON IS A TRUE AND CORRECT SURVEY TO THE ACCURACY REQUIRED BY THE STATE OF KENTUCKY MINIMUM STANDARDS AND THAT THE MONUMENTS HAVE BEEN PLACED AS SHOWN ON THE PLAT OF SURVEY TO THE SPECIFICATIONS OF THE STATE OF KENTUCKY MINIMUM STANDARDS.

12 \$3848

2-5-2020

JASON D. BANKS LS #3848

#### PURPOSE OF PLAT

THE PURPOSE OF THIS PLAT IS TO DEPICT THE PROPERTY BEING ANNEXED INTO THE CITY OF NICHOLASVILLE. SAID PROPERTY IS COMPRISED OF 8.91 ACRES AND FURTHER BEING A PORTION OF THE PROPERTY CONVEYED TO CLAY M. CORMAN AND TODD A. JENKINS BY DEED OF RECORD LODGED IN DEED BOOK 637; PAGE 234 IN THE OFFICE OF THE JESSAMINE COUNTY CLERK.

## RECORD SOURCE OF PROPERTY

SOURCE OF DEEDS: DEED BOOK 637; PAGE 234 OF RECORD IN THE JESSAMINE COUNTY COURTHOUSE.

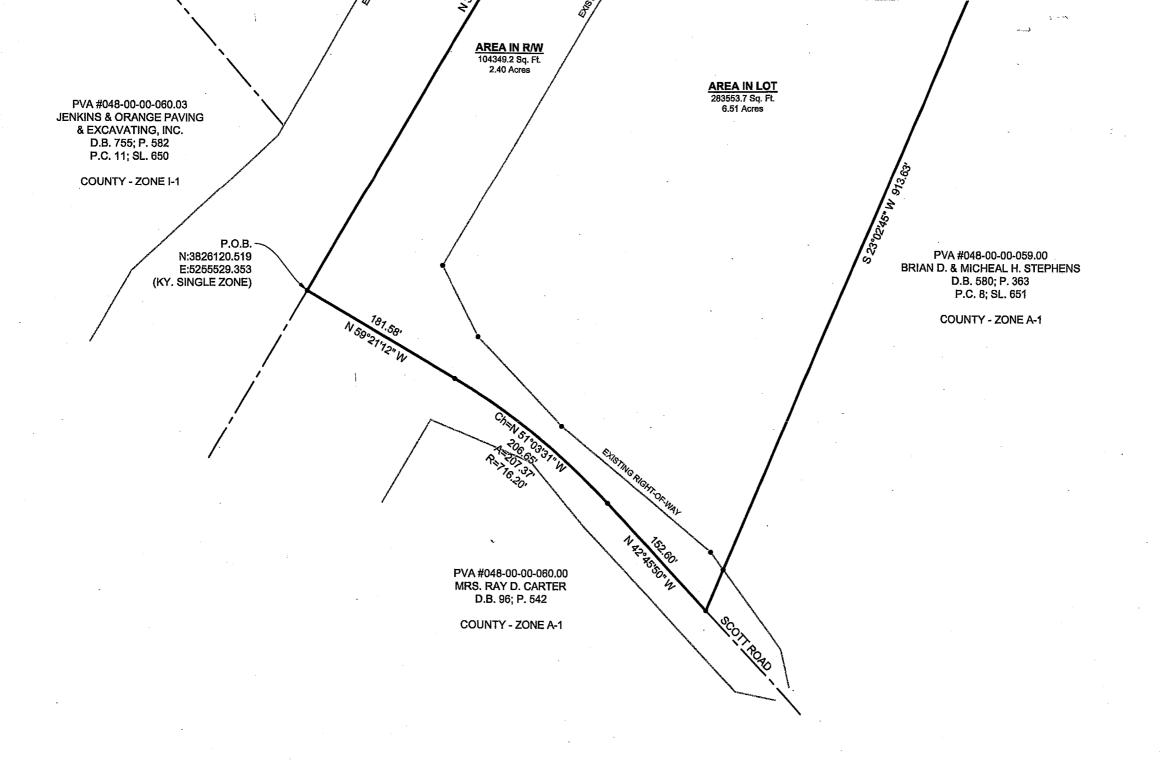
CURRENT TITLE HOLDER: CLAY M. CORMAN & TODD A. JENKINS

#### METHOD OF SURVEY

THIS PLAT IS BASED ON A FIELD SURVEY PERFORMED BY BANKS ENGINEERING, INC. IN JANUARY, 2020. THIS SURVEY WAS CONDUCTED USING GPS EQUIPMENT. THE CONTROL POINTS AND A PORTION OF THE BOUNDARY CORNERS WERE LOCATED USING GPS EQUIPMENT. THE REMAINDER OF THE BOUNDARY CORNERS WERE LOCATED USING A TOTAL STATION FROM SAID CONTROL POINTS. TRIMBLE R8-3 DUAL FREQUENCY RECEIVER WAS USED FOR THE NETWORK ADJUSTED REAL TIME KINEMATIC SURVEY. THE SURVEY AS SHOWN IS A RURAL SURVEY. THE RELATIVE POSITIONAL ACCURACY IS LESS THAN ±0.10'+200 PPM. THE HORIZONTAL DATUM IS NAD 1983, THE VERTICAL DATUM IS NAVD 1988 AND THE GEOID MODEL USED IS GEOID09.

THE BEARINGS SHOWN HEREON ARE BASED ON THE KENTUCKY SINGLE ZONE STATE PLANE COORDINATE SYSTEM DERIVED FROM A GPS SURVEY. THE DIRECTIONS AND DISTANCES SHOWN ON THE PLAT ARE NOT BASED ON AN ADJUSTED SURVEY.

ALL PROPERTY CORNERS HAVE BEEN MONUMENTED WITH AN IRON PIN (18" LENGTH, 5/8" DIAMETER) AND CAP STAMPED #3848 UNLESS OTHERWISE NOTED HEREON.



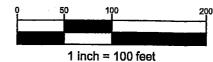
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STATE.

CLAY M. CORN

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GRAPHIC SCALE

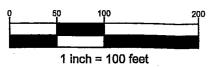


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PROJECT: 19205 DRAWN BY: CBS DATE: JANUARY, 2020 DRAWING: 19205\_Annexation platdwg

283553.7 Sq. Ft. 6.51 Acres PVA #048-00-00-059.00 **BRIAN D. & MICHEAL H. STEPHENS** D.B. 580; P. 363 P.C. 8; SL. 651 COUNTY - ZONE A-1 RTER

#### **GRAPHIC SCALE**



JASON D.
BANKS
3848
LICENSED
PROFESSIONAL
LAND SURVEYOR

#### -

METHOD OF SURVEY

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#### ANNEXATION SUMMARY

TOTAL AREA:	8.91 ACRES
AREA IN LOT:	6.51 ACRES
AREA IN RIGHT OF WAY	

#### ANNEXATION EXHIBIT

# CLAY M. CORMAN & TODD A. JENKINS PROPERTY

SCOTT ROAD

Jessamine County, Kentucky

Client and Property Owner of Record:

Clay M. Corman

1151 Jessamine Station Nicholasville, KY 40356

and

Todd A. Jenkins

5901 Sugar Creek Road Nicholasville, KY 40356



JASON D. BANKS, PLS
1211 JESSAMINE STATION | NICHOLASVILLE, KY
859.881.0020 | BANKSENGINEERING.NET

This plat does not represents a boundary survey and is not intended for land transfer

January, 2020