

**CITY OF UNION, KENTUCKY
ORDINANCE NO. 2023-05**

AN ORDINANCE OF THE CITY OF UNION, KENTUCKY APPROVING, WITH CONDITIONS, A REQUEST OF GREGORY P. TILSLEY (APPLICANT) FOR GRAETER'S PROPERTIES LIMITED (OWNER) FOR A CHANGE IN AN APPROVED CONCEPT DEVELOPMENT PLAN IN A COMMERCIAL TWO/PLANNED DEVELOPMENT (C-2/PD) DISTRICT FOR AN APPROXIMATE 5.7 ACRE AREA LOCATED AT 8905 US 42, UNION, KENTUCKY. THE REQUEST IS FOR A CHANGE IN AN APPROVED CONCEPT DEVELOPMENT PLAN TO ALLOW TWO ADDITIONAL EATING AND DRINKING ESTABLISHMENTS, A CENTRAL PLAZA AREA, AND INTERCONNECTED PARKING FACILITIES.

WHEREAS, the City of Union, Kentucky is a member of the county-wide planning unit, having a county-wide planning commission known as the Boone County Planning Commission; and

WHEREAS, the Boone County Planning Commission received a request for a A Change In An Approved Concept Development Plan In A Commercial Two/Planned Development (C-2/PD) District For An Approximate 5.7 Acre Area Located At 8905 Us 42, Union, Kentucky. The Request Is For A Change In An Approved Concept Development Plan To Allow Two Additional Eating And Drinking Establishments, A Central Plaza Area, And Interconnected Parking Facilities; and

WHEREAS, the Boone County Planning Commission as the planning unit for the City of Union, Kentucky was requested to and has conducted a Public Hearing serving as a due process trial-type hearing and made findings recommending approval, with conditions, for the Change in an Approved Concept Development Plan; and

WHEREAS, the Boone County Planning Commission by Resolution No. R-23-001-A recommended approval of the rezoning described above, with conditions; and

WHEREAS, the recommendation of the Boone County Planning Commission is based upon certain findings and conditions attached to its Resolution, all of which have been reviewed by the City Commission for the City of Union, Kentucky; and

WHEREAS, the Union City Commission desires to affirm and approve the recommendation of

the Boone County Planning Commission pursuant to K.R.S. 100.211 within ninety (90) days of the Planning Commission's final action and grant the application of the Change in an Approved Concept Development Plan with conditions.

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF UNION, KENTUCKY as follows:

SECTION I

That the request for a A Change In An Approved Concept Development Plan In A Commercial Two/Planned Development (C-2/PD) District For An Approximate 5.7 Acre Area Located At 8905 Us 42, Union, Kentucky. The Request Is For A Change In An Approved Concept Development Plan To Allow Two Additional Eating And Drinking Establishments, A Central Plaza Area, And Interconnected Parking Facilities; shall be and is hereby approved, with conditions, as set forth in the Boone County Planning Commission's Resolution R-23-001-A, which includes, but is not limited to, their Findings of Fact and Description of the real estate which is the subject of this Ordinance and is attached hereto and marked Exhibit "A" and incorporated herein by reference.

SECTION II

If approval for A Change In An Approved Concept Development Plan shall be held invalid, in whole or in part, such validity shall not affect the validity of any of the other zoning regulations, zoning map, or comprehensive plan provisions as they are severable from this Ordinance and they are intended to have effect regardless of any invalidity relating to this particular Ordinance.

SECTION III

Publication of this Ordinance is hereby authorized to be by summary publication in accordance with Kentucky Law.

PASSED AND APPROVED BY 5 MEMBERS OF THE UNION, CITY COMMISSION, UNION, KENTUCKY, ON THE 22nd DAY OF FEBRUARY, 2023.

FIRST READING this the 6th day of February, 2023

SECOND READING this the 22nd day of February, 2023

APPROVED:



JOHN MEFFORD, MAYOR PRO TEM

ATTEST:



TAMMY WILHOITE, CITY CLERK

Published: _____