

**CITY OF UNION, KENTUCKY
ORDINANCE NO. 2024-07**

AN ORDINANCE OF THE CITY OF UNION, KENTUCKY GRANTING, WITH CONDITIONS, THE REQUEST OF KENTUCKY 42, LLC, PER PHILLIP DREES (APPLICANT/OWNER) FOR A CHANGE OF CONCEPT DEVELOPMENT PLAN FOR AN APPROXIMATE 2.88 ACRE AREA LOCATED ALONG THE SOUTHEAST SIDE OF US 42, BETWEEN BRAXTON DRIVE AND OLD UNION ROAD, APPROXIMATELY FOUR HUNDRED (400) FEET SOUTHWEST OF BRAXTON DRIVE, AND HAVING A PARCEL IDENTIFICATION NUMBER (PIDN) OF 063.00-29-003.04 UNION, KENTUCKY WHICH IS CURRENTLY ZONED COMMERCIAL TWO/PLANNED DEVELOPMENT (C-2/PD)

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 Change Of Concept Development Plan For An Approximate 2.88 Acre Area Located Along The Southeast Side Of US 42, Between Braxton Drive And Old Union Road, Approximately Four Hundred (400) Feet Southwest Of Braxton Drive, And Having A Parcel Identification Number (PIDN) Of 063.00-29-003.04 Union, Kentucky Which Is Currently Zoned Commercial Two/Planned Development (C-2/PD).

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

WHEREAS, the Boone County Planning Commission by Resolution No. R-24-012-A recommended approval, with conditions, of the Concept Development Plan described above; 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, a majority of the Union City Commission desires to adopt 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;

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

SECTION I

That the request for a Change Of Concept Development Plan For An Approximate 2.88 Acre Area Located Along The Southeast Side Of Us 42, Between Braxton Drive And Old Union Road, Approximately Four Hundred (400) Feet Southwest Of Braxton Drive, And Having A Parcel Identification Number (PIDN) Of 063.00-29-003.04 Union, Kentucky Which Is Currently Zoned Commercial Two/Planned Development (C-2/PD) shall be and is hereby approved, with conditions, as set forth in the Boone County Planning Commission's Resolution No. R-24-012-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 this approval for a Change in an Approved Concept Development Plan shall be held invalid, in whole or in part, by any court of proper jurisdiction, such invalidity 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.

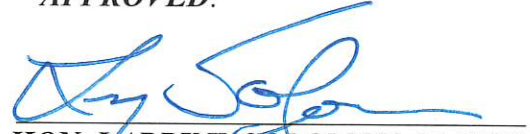
SECTION III

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

PASSED AND APPROVED ON FIRST READING this the 20th day of May, 2024.

PASSED AND APPROVED ON SECOND READING this the 21st day of May, 2024.

APPROVED:


HON. LARRY K. SOLOMON, MAYOR

ATTEST:


TAMMY WILHOITE, CITY CLERK

Published: _____