

**CITY OF UNION, KENTUCKY
ORDINANCE NO. 2018-03**

AN ORDINANCE OF THE CITY OF UNION, KENTUCKY APPROVING, WITH CONDITIONS, A REQUEST OF ANCHOR RETAIL SOLUTIONS, LLC for ARLINGHAUS 1, LLC FOR A ZONING MAP AMENDMENT, SUCH ZONING MAP AMENDMENT TO THE BOONE COUNTY ZONING MAP BEING A ZONE CHANGE FROM RURAL SUBURBAN ESTATES/UNION TOWN OVERLAY (RSE/UTO) ZONE TO COMMERCIAL TWO/PLANNED DEVELOPMENT (C-2/PD) FOR AN APPROXIMATE 1.71 ACRE SITE LOCATED ON THE EAST SIDE OF U.S. 42, ON THE SOUTHEAST CORNER OF THE INTERSECTION WITH FOWLERS LANE AND TO THE WEST OF THE PROPERTY AT 9075 U.S. 42 (KROGER FUEL CENTER), UNION, KENTUCKY

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

WHEREAS, the Boone County Planning Commission received a request for a Zoning Map Amendment to the Boone County Zoning Map and such Zoning Map Amendment being a zone change for a for an approximate 1.71 acre site located on the east side of U.S. 42, on the southeast corner of the intersection with Fowlers Lane and to the west of the property at 9075 U.S. 42 (Kroger Fuel Center), Union, Kentucky, 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 Zoning Map Amendment; and

WHEREAS, the Boone County Planning Commission by Resolution No. R-18-004-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 Zoning Map Amendment, with conditions.

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

SECTION I

That the request for a change in the Zoning Map Amendment being a Zone Change for an approximate 1.71 acre site located on the east side of U.S. 42, on the southeast corner of the intersection with Fowlers Lane and to the west of the property at 9075 U.S. 42 (Kroger Fuel Center), Union, Kentucky, shall be and is hereby approved, with conditions, as set forth in the Boone County Planning Commission's Resolution R-18-004-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 Zoning Map Amendment 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.

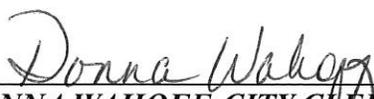
PASSED AND APPROVED ON FIRST READING this the 5th day of March, 2018.

PASSED AND APPROVED ON SECOND READING this 2nd day of April, 2018.

APPROVED:


HON. LARRY K. SOLOMON, MAYOR

ATTEST:


DONNA WAHOFF, CITY CLERK

**CITY OF UNION, KENTUCKY
ORDINANCE NO. 2018-03**

The City of Union, Kentucky at its meeting held on April 2, 2018 had a second reading of Ordinance 2018-03 and same was adopted by the Union, Kentucky City Commission, a Summary of which is set forth below:

AN ORDINANCE OF THE CITY OF UNION, KENTUCKY APPROVING, WITH CONDITIONS, A REQUEST OF ANCHOR RETAIL SOLUTIONS, LLC for ARLINGHAUS 1, LLC FOR A ZONING MAP AMENDMENT, SUCH ZONING MAP AMENDMENT TO THE BOONE COUNTY ZONING MAP BEING A ZONE CHANGE FROM RURAL SUBURBAN ESTATES/UNION TOWN OVERLAY (RSE/UTO) ZONE TO COMMERCIAL TWO/LLANNED DEVELOPMENT (C-2/PD) FOR AN APPROXIMATE 1.71 ACRE SITE LOCATED ON THE EAST SIDE OF U.S. 42, ON THE SOUTHEAST CORNER OF THE INTERSECTION WITH FOWLERS LANE AND TO THE WEST OF THE PROPERTY AT 9075 U.S. 42 (KROGER FUEL CENTER), UNION, KENTUCKY

That the request for a change in the Zoning Map Amendment being a Zone Change for an approximate 1.71 acre site located on the east side of U.S. 42, on the southeast corner of the intersection with Fowlers Lane and to the west of the property at 9075 U.S. 42 (Kroger Fuel Center), Union, Kentucky, shall be and is hereby approved, with conditions, as set forth in the Boone County Planning Commission's Resolution R-18-004-A. If approval for Zoning Map Amendment 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.

This Summary of the Ordinance was prepared by Greg D. Voss, Esq., 301 West Pike Street, Covington, Kentucky, an attorney licensed to practice law in the Commonwealth of Kentucky.

A complete copy of this Ordinance may be reviewed during normal business hours at the Office of the Union City Clerk, located at the Union City Building, 1843 Mt. Zion Road, Union, Kentucky.

CITY OF UNION, KENTUCKY



DONNA WAHOFF
CITY CLERK