

ORDINANCE NO. 2023-O-06

AN ORDINANCE AMENDING ORDINANCE NO. 2021-O-09 AMENDING THE CONCEPT DEVELOPMENT TO DEVELOP 64 ATTACHED SINGLE-FAMILY APARTMENT UNITS, SEVEN SHORT TERM RENTAL CABINS, AND FOUR COMMERCIAL BUILDINGS INCLUDING A BREWERY WITH A RESTAURANT AND RETAIL SPACE, A RENTABLE EVENT VENUE, A GAS STATION WITH RESTAURANT AND RETAIL SPACE, AND A DRIVE-THROUGH RESTAURANT ON AN AREA OF APPROXIMATELY 35 ACRES LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF TAYLOR MILL ROAD (KY 16) AND MADISON PIKE (KY 17)

WHEREAS Holland Design and Construction per Mark Rosenberger on behalf of Sons of Independence, LLC, has submitted an Application requesting the Kenton County Planning Commission to review and make recommendations on a proposed amended concept develop plan within a PUD (Planned Unit Development) Zone of the Independence Zoning Ordinance for an area of approximately 35 acres located at the northeast corner of the intersection of Taylor Mill Road (KY 16) and Madison Pike (KY 17); and

WHEREAS the Kenton County Planning Staff reviewed the application and provided a recommendation and supporting information and comprehensive plan documentation; and

WHEREAS, the Kenton Co, County Planning Commission held a public hearing on this Application on December 1, 2022, at 6:15 p.m., in the Kenton Chambers located at 1840 Simon Kenton Way, Covington, Kentucky; and a record of that hearing is on file at the Offices of the Kenton County Planning Commission, 1840 Simon Kenton Way, Covington, Kentucky.

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF INDEPENDENCE, COUNTY OF KENTON, COMMONWEALTH OF KENTUCKY:

SECTION I

That the Independence City Council hereby approves said Amended Concept Development Plan pursuant to the attached and included minutes and recommendation from the Kentucky County Planning Commission, changing the Development Plan of the described areas on the following bases:

1. The proposed map amended, as conditioned, is in agreement with the adopted comprehensive plan. The proposed plan will provide new housing options in a development which will provide unique amenities and in close proximity to existing community services, while also providing a large percentage of open space with amenities. The proposed map amendment is also consistent with the recommended use of mixed-use and rural community service area. Although the 0.7-acre parcel to the south is not consistent with the recommended land use, when reviewed as a part of the overall development, it is still generally consistent with the goals, objectives, recommendations, and tasks of Direction 2030 and is a logical extension of PUD Zoning.
2. Section 8.06 of the Independence Zoning Ordinance encourages Low Impact Development (LID) and provides site design strategies and site design location for LID facilities. Incorporating LID strategies and facilities will bring the application into compliance with the portions of the Environmental Element of the Comprehensive Plan which has been identified as inconsistent.

3. The submitted concept development plan meets the minimum requirements of the Independence Zoning Ordinance

4. Based on testimony provided during the public hearing held on December 1, 2022.

The following conditions are included in the approval of the Independence City Council-

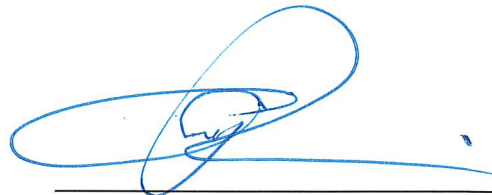
1. Low Impact Development (LID) for storm water management principles be incorporated within the non-residential portion of the plan.

SECTION II

That should any section or part of any section or any provision of this Ordinance be declared invalid by a Court of competent jurisdiction, for any reason, such declaration shall not invalidate, or adversely affect, the remainder of this Ordinance.

SECTION III

That this Ordinance shall take effect and be in full force when passed, published and recorded according to the law.



Christopher J. Reinersman, Mayor

ATTEST:



Gina Rawe, City Clerk

First Reading: February 6, 2023

Second Reading: March 6, 2023

Ayes: 5

Nays: 1

Publication Date: 03/16/2023