

**COMMONWEALTH OF KENTUCKY  
COUNTY OF KENTON  
ORDINANCE NO. 924.61**

**AN ORDINANCE ADOPTING THE RECOMMENDATIONS OF THE KENTON COUNTY PLANNING COMMISSION APPROVING THE STAGE 2 DEVELOPMENT PLAN FOR 2323 ANDERSON ROAD IN UNINCORPORATED KENTON COUNTY**

~~WHEREAS, Kentucky Revised Statute 100.203 authorizes planning commissions to require the submission of a development plan as defined under KRS 100.111(8) as a condition to granting any zone change; and~~

**WHEREAS**, Brad Trauth of Trauth Homes, Inc., on behalf of DGS Development, LTD, submitted a request that the Kenton County Planning Commission (hereinafter "KCPC") review and make a recommendation on a proposed Stage II Development Plan for 2323 Anderson Road, an area of approximately 0.59 acres located on the south side of Anderson Road between Bromley Crescent Springs Road and Clock Tower Way, zoned Mixed Land Use (area); and

**WHEREAS**, the Kenton County Fiscal Court previously approved the Amended Stage I Development plan for this property; and

**WHEREAS**, KCPC's duly authorized representative has reviewed the Stage II Development Plan, and recommended approval on the basis that the proposed plan meets the minimum requirements of the Unincorporated Kenton County Zoning Ordinance, the Kenton County Subdivision Regulations, the Approved Stage I Development Plan and Kenton County Ordinance 924.60, with the exception that the plan does not include any permanent entrance signs and that the photometric plan with appropriate lighting for pedestrian travel should be submitted with the zoning permit application.

**WHEREAS**, the Kenton County Fiscal Court believes, based upon the recommendation of KCPC's duly authorized representative that it is desirable to approve the Stage II Development Plan submitted for review and recommendation by DGS Development for the 0.59 acres located at 2323 Anderson Road as described above and located in unincorporated Kenton County;

**NOW, THEREFORE BE IT ORDAINED BY THE KENTON COUNTY FISCAL COURT, COMMONWEALTH OF KENTUCKY AS FOLLOWS:**

**Section One**

The Kenton County Fiscal Court hereby adopts the recommendations of KCPC's duly authorized representative, approving the amended Stage II Development Plan as presented by DGS Development, Ltd., for the development located at 2323 Anderson Road, an area of approximately 0.59 acres located on the south side of Anderson Road between Bromley Crescent Springs Road and Clock Tower Way in unincorporated Kenton County, with the following conditions:

The submitted development plan is subject to the condition that 1) all permanent neighborhood signage must meet the R-2 Zone requirements (Section 14.9, D), and 2) that adequate lighting be provided within the off-street parking area to ensure pedestrian safety and welfare. A photometric plan indicating the location and type of lighting fixtures, as well as light levels and property lines, needs to be submitted with the zoning permit application. Lighting should be provided between 1-3 foot-candles throughout the parking lot area and light levels at property lines shall not exceed 1.0 foot-candles.

**Section Two**

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 Three**

That any provision of any Ordinance in conflict with this Ordinance shall be repealed to the extent of said conflict.

**Section Four**

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

**Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2020.**

1<sup>st</sup> Reading – September 8, 2020.

2<sup>nd</sup> Reading - \_\_\_\_\_, 2020.

Vote: \_\_\_\_\_, Yes, \_\_\_\_\_, No

County of Kenton  
Commonwealth of Kentucky

By: \_\_\_\_\_

Kris Knochelmann  
Judge-Executive

Attest:

\_\_\_\_\_

Clerk