

- 1. The development shall be in accordance with the approved district development plan, all applicable sections of the Land Development Code (LDC) and agreed upon or imposed binding elements unless amended pursuant to the Land Development Code. Any changes/additions/alterations of any binding element(s) shall require a public hearing by the Planning Commission with final approval by Louisville Metro Council.
- No outdoor advertising signs, small freestanding signs, pennants, balloons, or banners shall be permitted on the site. 2.
- Construction fencing shall be erected when off-site trees or tree canopy exists within 3' of a common property line. Fencing 3. shall be in place prior to any grading or construction to protect the existing root systems from compaction. The fencing shall enclose the entire area beneath the tree canopy and shall remain in place until all construction is completed. No parking, material storage or construction activities are permitted within the protected area.
- 4. Before any permit (including but not limited to building, parking lot, change of use, site disturbance) is requested:
- a. The development plan must receive full construction approval from Construction Review, Louisville Metro Public Works and the Metropolitan Sewer District. b. A minor subdivision plat or legal instrument shall be recorded dedicating additional right-of-way to Shepherdsville Road to
- provide a total of 60 feet from the centerline and right-of-way dedication of Robbs Ln. as shown on the development plan. A copy of the recorded instrument shall be submitted to the Division of Planning and Design Services prior to obtaining a building permit. c. The property owner/developer must obtain approval of a detailed plan for screening (buffering/landscaping) as described in
- Chapter 10 prior to requesting a building permit. Such plan shall be implemented prior to occupancy of the site and shall be maintained thereafter.
- A certificate of occupancy must be received from the appropriate code enforcement department prior to occupancy of the 5. structure or land for the proposed use. All binding elements requiring action and approval must be implemented prior to requesting issuance of the certificate of occupancy, unless specifically waived by the Planning Commission.
- The applicant, developer, or property owner shall provide copies of these binding elements to tenants, purchasers, 6. contractors, subcontractors and other parties engaged in development of this site and shall advise them of the content of these binding elements. These binding elements shall run with the land and the owner of the property and occupant of the property shall at all times be responsible for compliance with these binding elements. At all times during development of the site, the applicant and developer, their heirs, successors; and assignees, contractors, subcontractors, and other parties engaged in development of the site, shall be responsible for compliance with these binding elements.
- The materials and design of proposed structures shall be substantially the same as depicted in the rendering as presented at 7 the October 9, 2018 Planning Commission meeting.
- There shall be enhanced landscaping as discussed during the testimony at the October 9, 2018 Planning Commission meeting 8. for the variance located on the northern property line.
- 9. All exterior lighting on the property, whether attached or free-standing, is to be shielded and pointed downward.
- 10. The property owner shall maintain the fence and all landscaping areas and related plant material on the property.
- 11. Construction plans, bond and permit for a 5 foot sidewalk along either the east or west side of Robbs Lane between the proposed location of the TARC Park and Ride on the development plan to the existing sidewalk along Robbs Lane frontage of 5100 Outer Loop shall be submitted prior to issuance of the first building permit. The ultimate location of the sidewalk will be determined in consultation with Public Works.
- Sidewalk along Robbs Lane and turning lanes on Shepherdsville Road shall be installed and completed prior to issuance of 12. certificate of occupancy.
- There shall be no increase in density beyond what was shown and approved at the October 9, 2018 meeting of the Planning 13. Commission.
- There shall be no increase in building height beyond what was shown and approved at the October 9, 2018 meeting of the 14. Planning Commission.
- As testified to during the October 9, 2018 meeting of the Planning Commission, there shall be on-site management at the 15. Unity Place Apartments. Management shall have the capability and procedures in place to contact emergency maintenance at all times.

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