

14DEVPLAN1004 - Binding Elements

- 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 binding elements unless amended pursuant to the Land Development Code. Any changes/additions/alterations of any binding element(s) shall be submitted to the Planning Commission or the Planning Commission's designee for review and approval; any changes/additions/alterations not so referred shall not be valid.
- 2. The development shall not exceed 315,000 square feet of gross floor area.
- 3. A certificate of occupancy must be received from the appropriate code enforcement department prior to occupancy of the 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.
- 4. There shall be no outdoor music (live, piped, radio or amplified) or outdoor PA system audible beyond the property line.
- 5. The applicant, developer, or property owner shall provide copies of these binding elements to tenants, purchasers, 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.
- 6. The materials and design of proposed structures shall be substantially the same as depicted in the rendering as presented at the March 6th, 2014 Planning Commission meeting.
- 7. There shall be no direct vehicular access to Rehl Road.
- 8. A right turn lane from north-bound Tucker Station Rd to east-bound Bluegrass/Tucker Station Rd shall be constructed prior to the issuance of a certification of occupancy for Lot 23 or Lot 24.
- 9. The intersection of Plantside Dr. and Blankenbaker Pkwy shall be remarked and signalized for split-phase operation and a dedicated right turn lane, as recommended in the traffic study prepared by URS dated 02/25/2014, prior to the issuance of a certification of occupancy for Lot 23 or Lot 24.