

BINDING ELEMENTS CASE NO. 14DEVPLAN1147

- The development shall be in accordance with the approved district development plan and agreed upon binding elements unless amended pursuant to the Zoning District Regulations. No further development shall occur without prior approval from the Planning Commission except for land uses permitted in the established zoning district.
- The development shall not exceed 800 square feet of gross floor area for the office, 1000 square feet of gross floor area for the apartment and 119,200 118,800 square feet of gross floor area for the mini-warehouse storage (9-8 mini-warehouse buildings).
- 3. There shall be no direct vehicular access to Carrie Drive.
- The only permitted freestanding sign shall be located as shown on the approved district development plan. The sign shall not exceed 64 square feet in area per side and 10 feet in height. No sign shall have more than two sides.
- No outdoor advertising signs (billboards), small free-standing (temporary) signs, pennants or banners shall be permitted on the site. The existing billboard shall be removed.
- There shall be no outdoor storage on the site.
- Outdoor lighting shall be directed down and away from surrounding residential properties. Lighting fixtures shall have a 90 degree cutoff so that no light source is visible off-site. Lighting levels attributable to the fixtures located on the subject site shall not exceed two foot candles at the property line.
- Construction fencing shall be erected at the edge of the area of development prior to any grading or construction to protect the existing tree stands and their 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.
- The applicant shall submit a plan for approval by the Planning Commission staff landscape architect showing trees/tree masses to be preserved prior to beginning any construction procedure (i.e. clearing, grading, demolition). Any modification of the tree preservation plan requested by the applicant may be approved by the Planning Commission staff landscape architect if the changes are in keeping with the intent of the approved tree preservation plan. The plan shall exhibit the following information: Proposed site plan (showing buildings, edges of pavement, property/lot lines, easements,
- existing topography, and other significant site features (LOJIC topographic information is Preliminary drainage considerations (retention/detention, ditches/large swales, etc.). Location of all existing trees/tree masses existing on the site as shown by aerial photo or
- LOJIC maps.
- Location of construction fencing for each tree/tree mass designated to be preserved.
- Before any permit (including but not limited to building, parking lot, change of use or alteration permit) is requested:
- The development plan must receive full construction approval from the Jefferson County Department of Public Works and Transportation (400 Fiscal Court Building) and the Metropolitan Sewer District (700 West Liberty).
- Encroachment permits must be obtained from the Kentucky Department of Transportation, Bureau of Highways.

WITH THE BINDING ELEMENTS OF THIS DISTRICT

DEVELOPMENT PLAN.

STORY OF STREET STREET, STREET STREET, STREET, STREET, STREET, STREET, STREET, STREET, STREET, STREET, STREET,

NOTICE

PERMITS SHALL BE ISSUED

ONLY IN CONFORMANCE

The property owner/developer must obtain approval of a detailed plan for screening (buffering/landscaping) as described in Article 12 prior to requesting a building permit. Such plan shall be implemented prior to occupancy of the site and shall be maintained

d. A minor subdivision plat shall be recorded creating the lot lines as shown on the development plan. A copy of the recorded instrument shall be submitted to the Division of Planning and Design Services; transmittal of approved plans to the office responsible for permit issuance will occur only after receipt of said instrument.

e. A reciprocal access and crossover easement agreement in a form acceptable to the Planning Commission legal counsel shall be created and recorded among all tracts in the development. A copy of the recorded instrument shall be submitted to the Division of Planning and Design Services; transmittal of approved plans to the office responsible for permit issuance will occur only after receipt of said instrument.

- 11. If a building permit is not issued within one year of the date of approval of the plan or rezoning, whichever is later, the property shall not be used in any manner unless a revised district development plan is approved or an extension is granted by the Planning Commission.
- 12. A certificate of occupancy must be received from the appropriate code enforcement office 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.
- 13. An 8-foot high solid wood fence shall be constructed along the proposed exterior line of Building Number 40 9 to screen and buffer the mini-warehouses from the adjoining mobile home park. The portion of the fence adjoining Building 40 9 may be removed when that building is constructed
- 14. All landscaping shall be installed during Phase 1 and maintained thereafter.
- The property owner/developer shall provide copies of these binding elements to tenants, contractors and other parties engaged in development of this project, and shall inform them of the content of these binding elements. Further, the property owner/developer shall require contractors to similarly notify all of their sub-contractors whose duties relate to the binding elements. The property owner/developer shall ensure their compliance with the binding elements.
- 16. The exterior walls of the perimeter buildings 2, 3 and 40 9 shall be split face block with natural gray color. The doors shall be a dark green color. Prior to requesting a building permit, the developer shall obtain approval from the Land Development and Transportation Committee for the style and design of the buildings.