

414027

BY CHK'

Docket Number 9-47-86 & 9-81-87 (City of Middletown)

Project Name:

Pizza Hut 12425 Shelbyville Road

Location: Pizza Hut

Revised Detailed District Development Plan. Applicant: Request:

Staff Case Manager: Melanie Byers, Planner I.

RESOLVED, That the Land Development and Transportation Committee does hereby APPROVE the Revised Detailed District Development Plan for Docket No. 9-47-86, subject to the following binding elements:

All binding elements from the approved General Development Plan are applicable to this site in addition, to the following:

- The binding elements originally contained in Ordinance 11, Series 1986 and Ordinance 10, Series 1987 of the City of Middletown and **Docket** Nos. 9-47-86 and 9-81-87, shall apply except as added to or amended herein.
- 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 and City of Middletown.
- The development shall not exceed 3,100 square feet of gross floor area.
- There shall be no direct access to Shelbyville Road from the site. Access to the site shall be restricted to internal access roads.
- Before any permit (including but not limited to building, parking lot, change of use or alteration permit)is requested:
 - a. 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).
 - 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 thereafter.

- All signage shall be in accordance with the detailed district development plan and must otherwise be in compliance with the City of Middletown Ordinance 90-06.
- If a building permit is not issued within one year of the date of approval of the plan, 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 and the City of Middletown.
- 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.
- The above binding elements may be amended as provided for in the Zoning District Regulations, upon approval of the City of Middletown.
- 10. The property shall be limited to uses in the C-1 Commercial District with the exception of one (1) automobile repair garage and with the exception of one (1) restaurant with lounge and entertainment as permitted in the C-2 District. Additional restaurants without lounges and entertainment being allowed.