

BINDING ELEMENTS

August 7, 1997

DOCKET NO. 9-39-97CLW

Change in zoning from C-2 Commercial, EZ-1 Enterprise Zone and M-2 Industrial to M-3 Industrial and a related Conditional Use Permit for a landfill and a Landscape Waiver for the required landscape material on property located at 2673 Outer Loop, (the northwest quadrant of Outer Loop and I-65, extending northwestwardly to Grade Lane), containing 782.6 acres and being in unincorporated Jefferson County

1. The entire 782.60 acres, including the property currently zoned M-3, shall be subject to these Binding Elements.
2. The development shall be in accordance with the approved general district development plan and agreed upon binding elements unless amended pursuant to the Zoning District Regulations. Plans required by the Conditional Use regulations for landfills shall be equivalent to detailed district development plans for this site and shall remain within the purview of the Jefferson County Board of Zoning Adjustment. No development of any portion of the site shall be allowed without prior review and approval by that Board under the provisions of the approved Conditional Use Permit (Docket No. B-28-85). No change to the general district development plan shall occur without prior approval from the Planning Commission.
3. The site shall be developed and the use operated in strict compliance with all approvals and conditions of the Conditional Use Permit (B-28-85).
4. Within the Landscape Buffer Areas and within the entirety of the "limits of buffer area" around the perimeter of the site as shown on sheet 9 of the approved plans (i.e., between the heavy dashed line so labeled and the applicant's property lines), all existing vegetation shall be protected, preserved, and maintained during all operations and activities on the site.
5. The only access to the site shall be as shown on the approved general district development plan.
6. The only permitted on-premise freestanding signs shall be those specifically approved under the approved Conditional Use Permit.
7. No outdoor advertising signs (billboards), small free-standing (temporary) signs, pennants or banners shall be permitted on the site.

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Upon the expiration of each of the current leases for each of the existing billboards on the site, the specific lease shall not be renewed and the specific billboard shall be completely removed within 90 days of the expiration of the individual lease involved.

8. 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).
 - b. Modification of the approved conditional use permit shall be obtained from the Board of Zoning Adjustment for any detailed development of any portion of this site in compliance with the general district development plan, except for the proposed office building shown on sheet 6, the leachate pretreatment facility shown on sheet 7, and the composting operation shown on sheet 5 (as these have been approved by the Planning Commission in this rezoning action with the concurrence of the Board).
 - c. For any new construction, 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.
 - d. A minor plat or legal instrument shall be recorded consolidating the property into one lot. A copy of the recorded instrument shall be submitted to the Division of Planning and Development Services; transmittal of the approved plans to the office responsible for permit issuance will occur only after receipt of said instrument.

9. If a building permit is not issued within two years 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.

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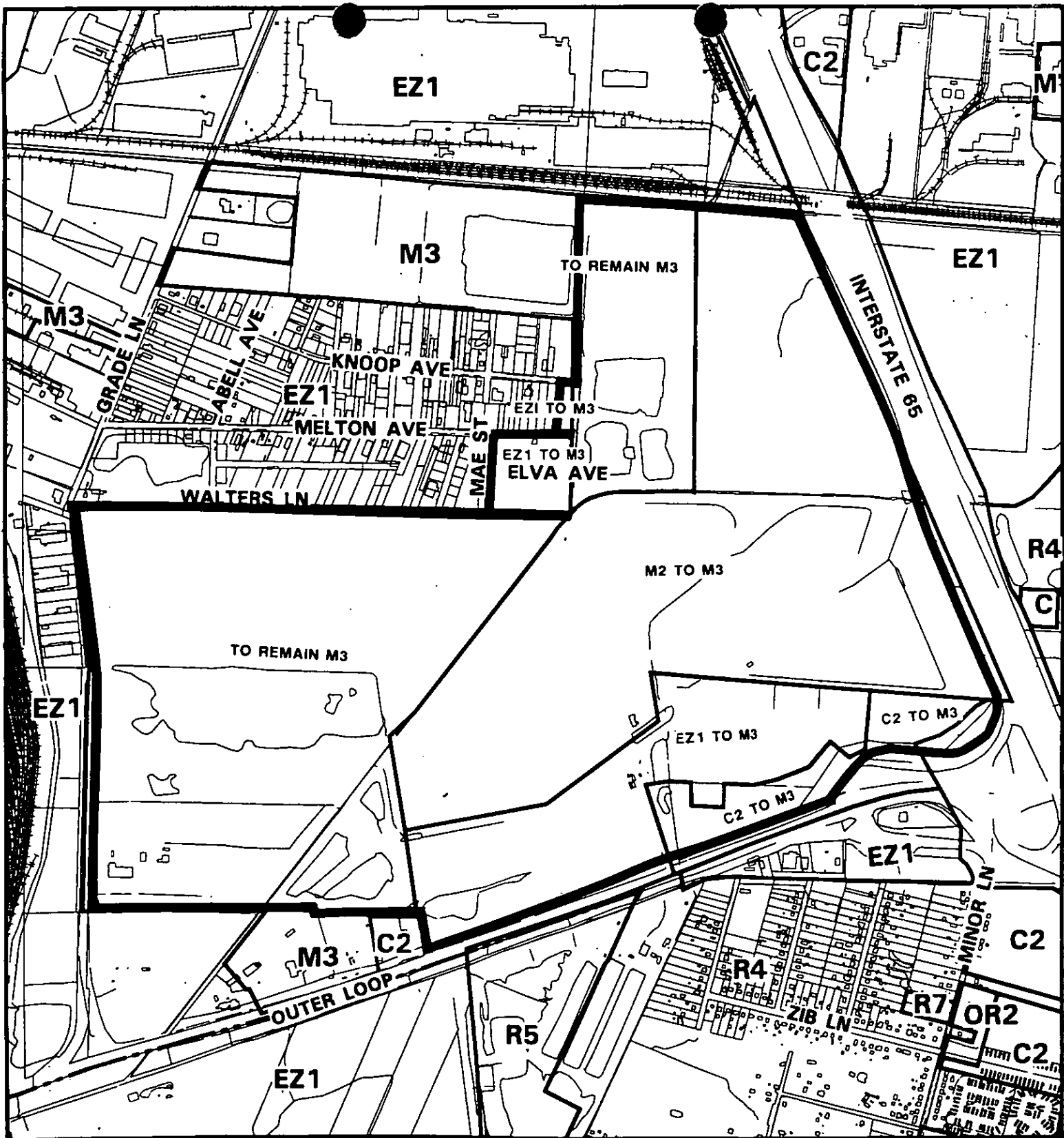
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10. A certificate of occupancy must be received from the appropriate code enforcement office prior to occupancy of the structure or land for the proposed use. All binding elements requiring action and approval must be implemented prior to requesting issuance of the certificate of occupancy, unless specifically waived by the Planning Commission.

11. 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.

The above binding elements of the district development plan are agreed to by the property owner _____, 1997.

OWNER OR OWNER'S AUTHORIZED REPRESENTATIVE



RR RURAL RES.
 RE RES. EST.
 R1 RES. S.FAM.
 R2 RES. S.FAM.
 R3 RES. S.FAM.
 R4 RES. S.FAM.

R5 RES. S.FAM.
 RRD RES. REDEV.
 R5A RES. M-FAM.
 R5B TWO-FAM.
 R6 RES. M-FAM.
 R7 RES. M-FAM.
 R8A RES. M-FAM.

OR1 OFF./RES.
 OR2 OFF./RES.
 OR3 OFF./RES.
 OTF OFF./TOUR.
 CN NEIGH. COMM.
 CR COMM./RES.
 C1 COMM.

C2 COMM.
 C3 CBD
 CM COMM. MAN.
 E1 ENTERPRISE
 M1 IND.
 M2 IND.

M3 IND.
 CRO CRO. REVIEW OV.
 PRO PLAN. RESEARCH
 PEC PLAN. EMP. CEN.
 DRO DEV. REVIEW OV.
 W1 WATERFRONT

W2 WATERFRONT
 W3 WATERFRONT
 WRO WATER. REVIEW
 OVERLAY



Zoning District Map
 Louisville and Jefferson County
 Planning Commission

Date: May 02, 1997
 Docket No. 9-39-97CLW
C2, EZ1 & M2 TO M3

Scale: 1" = 1200'
 Sheet 49,60

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