

Case No. 21-ZONE-0025 Binding Elements

RESOLVED, the Louisville Metro Planning Commission does hereby **APPROVE** the requested Detailed District Development Plan, **SUBJECT** to the following 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. 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 Louisville Metro Construction Review, Louisville Metro Public Works and the Metropolitan Sewer District.
 - b. Encroachment permits must be obtained from the Kentucky Transportation Cabinet, Bureau of Highways.
 - c. 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 Design Services
- 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. 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.
- 5. No outdoor advertising signs, small freestanding signs, pennants, balloons, or banners shall be permitted on the site.

- 6. Pedestrian connections and bike parking as shown on the approved development plan shall be installed within 6-months from the date of final action by Louisville Metro Council
- 7. No portion of the development site shall be used for a tavern/bar or used tire sales, display, or storage.
- 8. No power equipment that will cause a noise disturbance will be run between the hours of 10 p.m. and 6 a.m.
- 9. No outdoor activities, sales or display shall take place outdoors between the rear of the building and Manse and Seaforth Drives, except that the following activities are expressly permitted: ingress/ egress to the building or property, loading and unloading, storage as permitted by the Land Development Code and screened from the public right-of-way, parking and vehicle storage, and refuse collection.