

PATI (PILE

Binding Elements 17zone1019

- 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. No outdoor advertising signs, small freestanding signs, pennants, balloons, or banners shall be permitted on the site.
- 3. Construction fencing shall be erected when off-site trees or tree canopy exists within 3' of a common property line. Fencing shall be in place prior to any grading or construction to protect the existing 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.
- Before any permit (including but not limited to building, parking lot, change of use, site disturbance, alteration permit or demolition permit) is requested:

 a. The development plan must receive full construction approval from Louisville Metro Department of Codes and Regulations Construction Permits and Transportation Planning Review and the Metropolitan Sewer District.

 b. Encroachment permits must be obtained from the Kentucky Department of Transportation, Bureau of Highways for any work within the state right-of-way.

 c. The property owner/developer must obtain approval of a detailed plan for screening (buffering/landscaping) as described in Chapter 10 prior to requesting a building permit. Such plan shall be implemented prior to occupancy of the site and shall be maintained thereafter
- 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.
- No overnight idling or idling of trucks while loading or unloading equipment shall be permitted on-site.
- The applicant shall submit a Detailed District Development Plan to be approved by Planning Commission prior to construction plan approval that addresses the following elements: building design use, access to W. Orell Rd. specifically pertaining to truck traffic, landscaping adjacent to the single family residences to the south and landscaping along the private access easement and the 6 foot berm. Notification of the meeting shall include anyone who spoke at the Planning Commission public hearing for Case No. 17ZONE1019.
- 8. Any change of use or change to the approved development plan shall require Metro Council review and approval.
- There shall be no coal ash/fly ash on the premises.