

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 and to the City of Jeffersontown 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.

4. 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 KYTC, Jeffersontown Public Works, and the
- Metropolitan Sewer District.
 b. Encroachment permits must be obtained from the Kentucky Transportation Cabinet.
- 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.

 d. A Tree Preservation Plan in accordance with Chapter 10 of the LDC shall be reviewed and approved prior to obtaining approval for site disturbance.
- e. The materials and design of proposed structures for Phase 1 shall be substantially the same as depicted in the rendering as presented at the May 26, 2022 Planning Commission meeting. A copy of the approved rendering is available in the
- case file on record in the offices of the Louisville Metro Planning Commission.

 f. Final elevations/renderings for Phase 2 structures shall be submitted for review and approval by Planning Commission staff and the City of Jeffersontown City Council. A copy of the approved rendering shall be available in the case file on

record in the offices of the Louisville Metro Planning Commission.

5. 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

6. There shall be no outdoor music (live, piped, radio or amplified) or outdoor entertainment or outdoor PA system audible beyond the property line.

7. 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.

8. Lighting

- a. All exterior lighting, whether freestanding or attached to any structure, including parking lot lights, shall be fully shielded, shall utilize flat or hidden lenses, and shall be pointed directly to the ground. The following are exceptions to this requirement: i)Low
- voltage landscape lighting aimed away from adjacent properties and not exceeding 2000 lumens in output per fixture.

 b. No LED or metal halide lighting shall have a correlated color temperature (CCT) exceeding 4000 degrees Kelvin.
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 c. The parking lot fixtures shall be no higher than 20-foot light poles atop a three-foot base (as measured from ground level).
 d. One (1) hour after closing time for the dealership, parking lot lighting shall be reduced by at least fifty percent (50%).
- e. Interior lighting visible from the street shall be reduced by at least fifty percent (50%) at least one (1) hour after closing.

9. Signage- All signage shall be in conformance with the City of Jeffersontown sign ordinance in addition to the following:

a. No lighted signage shall be placed above the building height.

certificate of occupancy, unless specifically waived by the Planning Commission.

- b. All lighted signage shall be backlit or halo lit.c. No changing image or moving signs shall be permitted.
- d. Applicant proposes to install a freestanding business sign no taller than 20 feet in height.

10. All off-street parking areas shall be permanently and continually maintained in good condition and free from potholes, weeds, dirt, trash, and other debris.

PRELIMINARY APPROVAL Condition of Approval:			
Development Review LOUISVILLE & JEFFERSON COUNTY METROPLOITAN SEWER DISTRICT			METERATON BACIN CALCUEATONS - 4 A OFFACE - 10 B - 10 C A OFFACE - 2 A INCHES - (0 S R) (0 O S R) (0 O C A O C
PALADO DIFTA PED			
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