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REZONING PLAN

PDISTRICT DEVELOPMEN

FRONT REVIEW OVERLAY

FOR

AUTOMATIONS, I

2710 BUDDEKE DRIVE

LOUISVILLE, KY 40206

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RECEIVED

NOV 162016 PLAIVIVINO DESIGN SERVICES

JOB NO: 1"=50" HORIZ. SCALE: VERT SCALE: DESIGNED BY: DETAILED BY: JDC CHECKED BY: DATE: OCTOBER 7, 2016

Binding Elements:

- 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. The development shall not exceed 71,220 square feet of gross floor area.
- 3. No outdoor advertising signs, small freestanding signs, pennants, balloons, or banners shall be permitted on the site.
- 4. 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.
- 5. 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 Develop Louisville and the Metropolitan Sewer District.
 - b. 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
 - c. A Tree Preservation Plan in accordance with Chapter 10 of the LDC shall be reviewed and approved prior to obtaining approval for site disturbance.
 - d. A reciprocal access and crossover easement agreement in a form acceptable to the Planning Commission legal counsel shall be created between the adjoining property owners and recorded. A copy of the recorded instrument shall be submitted to the Division of Planning and Design Services; transmittal of approved plans to the office responsible for permit issuance will occur only after receipt of said instrument.
- 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. The materials and design of proposed structures shall be substantially the same as depicted in the rendering as presented at the November 17, 2016 Planning Commission hearing.
- 9. Upon construction of this development, and upon completion of the River Road widening project, the owner shall either a) provide a direct connection to River Road in the location shown on the approved development plan within 6 months, or b) provide a prorated fee toward the cost of a traffic signal at River Road and River Green Circle to Louisville Metro Public Works within 60 days of request by Metro Public Works, not to exceed \$10,000.
- 10. In an effort to minimize impact of lighting on adjacent properties, lighting for the parking area shall be directed downward and toward the interior of the parking area.
- 11. The applicant shall complete all new landscaping within two years of the final approval of this rezoning request, or a Detailed Plan is approved. prior to issuance of the certificate of occupancy.
- 12. All landscaping and/or berms, existing or new, shall be maintained in good condition by the applicant **or owner**.
- 13. The owner/developer will consult with River Fields in any future landscaping projects.