





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. **The density of the development shall not exceed 7.0 dwelling units per acre (195 units on 27.9 acres).**
3. Except for for-sale/development advertisement and signature entrance signs permitted by the Land Development Code, no outdoor advertising signs, small freestanding signs, pennants, balloons, or banners shall be permitted on the site, except a signature entrance.
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, or site disturbance permit) is requested:
  - a. The development plan must receive full construction approval from Louisville Metro Department of Inspections, Permits and Licenses, Louisville Metro Public Works and the Metropolitan Sewer District.
6. If a clearing, grading or site construction permit is not issued within one year 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.
7. 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.
8. 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.

9. The applicant shall provide documentation showing that the development complies with all the regulations from Chapter 4, Part 1, Section 3, Lighting, prior to the issuance of a construction permit. These regulations include the following items: Mounting Height Limit, Luminaire Shielding, Canopy Lighting Level, and Light Trespass.
- ~~10. The property shall be developed under a Horizontal Property Regime.~~
11. **The structures shall appear substantially similar to the renderings submitted at the July 21, 2005 and May 20, 2015 public hearing. All condominium structures shall be principally faced on all four sides with brick but may also feature accent treatments, gable details, cornices and so forth of other possible building materials such as vinyl.**
12. The address number shall be displayed on all structures prior to requesting a certificate of occupancy for that structure. Street signs shall also be installed prior to the issuance of a certificate of occupancy.
13. In addition to the signature entrance sign off Greenwood Road, the developer shall place small "signature" entrances at all other public street connections with this condominium development in order to present to automobiles using these cut-through connections that the development they are passing through is a private residential condominium community.
14. Any connections eliminated or added by the Planning Commission at public hearing shall be submitted via a revised detailed district development plan (RDDDP) which RDDDP may be revised and approved by DPDS staff for compliance herewith.
15. Street trees and screening along the development's perimeter shall be as depicted on the colored site plan and other landscape elevations presented at the July 21, 2005 public hearing.
16. There shall be no construction entrance other than at Greenwood Road.
- ~~17. The applicant shall set aside \$25,000 to install traffic control devices if same are determined to be advisable by the Metro Works Department. The \$25,000 shall remain available for this purpose until bond release on internal condominium community streets. After that point in time, if no traffic control device has been required, or with less spent for this purpose than necessary, the remaining funds shall be released back to the developer with no further obligation in this regard on its part.~~

- ~~18. A revised development plan shall also show elimination of the cul-de-sac at the end of Canna Drive which Metro Works had originally determined would be required to be constructed by this applicant/developer.~~