

CITY OF JEFFERSONTOWN **JEFFERSON COUNTY, KENTUCKY**

RESOLUTION NO. 314, SERIES 2014

A RESOLUTION RELATING TO THE APPROVAL OF A REVISED DETAILED DISTRICT DEVELOPMENT PLAN AS TRANSMITTED FROM THE LOUISVILLE METRO PLANNING COMMISSION FOR THE FOLLOWING **DEVELOPMENT:**

Project:

Good Samaritan Post-Acute Care Center

Address:

3500 Good Samaritan Way

J*Town Docket: 13-0012

Approval: Revised Detailed District Development Plan

WHEREAS, the City of Jeffersontown has been transmitted a Revised Development plan with recommendations from the Louisville Metro Planning Commission for review and approval; and,

WHEREAS, the City of Jeffersontown's Technical Review Committee has reviewed the record as transmitted from the Louisville Metro Planning Commission; and,

WHEREAS, the City of Jeffersontown's Technical Review Committee has reviewed the plans for the above referenced project relative to traffic, access, surface drainage, and other related City of Jeffersontown Ordinances.

NOW, THEREFORE, BE IT RESOLVED, that the City of Jeffersontown does hereby APPROVE the revised detailed development plan and is subject to the following binding elements, to wit:

All binding elements from the approved General Development Plan are applicable to this site, in addition to the following:

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. 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.
- 3. 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 Jeffersontown Department of Inspections, Permits and Licenses Permitting, Planning & Code Enforcement, Jeffersontown Public Works and the Metropolitan Sewer District.
 - b. Encroachment permits must be obtained from the Kentucky Department of Transportation, Bureau of Highways.
 - b. The appropriate conditional use permit shall be obtained from the Jeffersontown Board of Zoning Adjustment to allow the development as shown on the approved district development plan.
 - e. 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.
- 4. 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.
- 5. 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.
- 6. The materials and design of proposed structures shall be substantially the same as depicted in the rendering as presented at the April 10, 2014 LD&T Committee meeting.

- 7. The size and location of any proposed freestanding sign must be in compliance with the City of Jeffersontown Sign Ordinance.
- 8. All off-street parking areas shall be permanently and continually maintained in good condition and free from potholes, weeds, dirt, trash and other debris.
- 9. The property owner/developer must obtain approval of a detailed plan for screening (buffering/landscaping) as described in Chapter 10 prior to requesting a Certificate of Occupancy. Such plan shall be implemented prior to occupancy of the site and shall be maintained thereafter.

INTRODUCED, SECONDED, READ AND ADOPTED by the City Council of the City of Jeffersontown on the also day of october, 2014 on the same occasion signed by the Mayor of the City of Jeffersontown and declared to be in full force and effect according to law.

BILL DIERUF, MAYOR

ATTEST:

BILL FOX. CITY CLERK