

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 and/or development plan shall be submitted to the Planning Commission with notice to be provided to the first and second tier adjoining property owners and any others required by the Land Development Code and/or KRS 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, alteration permit or demolition permit) is requested:
 - a. The development plan must receive full construction approval from Construction Review, Louisville Metro Public Works, 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 certificate of occupancy. Such plan shall be implemented prior to occupancy of the site and shall be maintained thereafter. The plan shall include, at a minimum, the enhanced landscaping shown at the June 6, 2024, Planning Commission hearing.
 - 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. The materials and design of proposed structures shall be substantially the same as depicted in the rendering as presented at the June 6, 2024, 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.
5. There shall be no outdoor music (live, piped, radio or amplified) or outdoor entertainment or outdoor PA system audible beyond the property line.
6. No idling of trucks shall take place within 200 feet of residential structures. No overnight idling of trucks shall be permitted on-site.
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. Developer/property owner shall ensure that measures are taken to prevent fugitive dust emissions from the gravel portions of the parking lot. Measures may include but are not limited to: utilization

of asphalt millings, polyurethane binding agents, or liquid asphalt. Any measures taken shall be re-applied as recommended by the manufacturer, or as needed when new gravel is laid down. Developer/property owner shall maintain a written log of when measures have been applied and shall produce the log to any inspector on request. Developer/property owner shall additionally maintain copies of the manufacturer's material safety data sheet on-site.

10. All property owners within 500 feet of a proposed blasting location shall be notified 30 days before any blasting operations occur and be offered pre-blast surveys. Any homeowners who opt to have a pre-blast survey conducted shall be provided copies of all materials resulting from that survey, including any photos and/or videos. Any blast surveys shall be done in a manner consistent with Kentucky Blasting Regulations.
11. Only earth tone-colored tarps may be used on the premises, with no blue or other bright colored tarps allowed. Heavy truck and trailer parking on the site shall be limited to recreation vehicles and boat/landscape trailers.
12. Applicant shall install enhanced landscaping along S. English Station Road and the north property line substantially the same as shown at the June 6, 2024, Planning Commission public hearing. The berm along the north property line shall be irrigated to maintain the health of the plantings.
13. The rear of the one-story mini-storage building facing I-64 shall be painted a color to blend in with the vegetation such as dark grey, dark brown, or dark green. The color of the façade of the front three-story building shall be substantially the same as the Lodges apartment community to the north.
14. Storage shall be illuminated with backlit halo style lighting. All signage shall be in compliance with the Land Development Code Chapter 8.
15. The only permitted C-1, C-2, M-1, or C-M use allowed on the property shall be mini-storage and recreational vehicles and boat/landscape trailer parking.
16. All exterior lighting, whether freestanding or attached to any structure shall be fully shielded, shall utilize flat or hidden lenses, and shall be pointed directly to the ground (excluding the signage per RE #14).
17. No inoperable vehicles shall be stored on the site.
18. Any significant increases to the proposed structures (e.g. increases in building height, number of units, number of buildings), any increase in density on the property, any changes in use on the property which directly or indirectly require a public hearing before the Planning Commission or subcommittee thereof, and/or any amendments to the binding elements, other than (i) the addition of new binding elements, (ii) changes to binding elements that merely update the public hearing date, or (iii) updating a previous version of this binding element to reflect the current language, shall be reviewed before the Planning Commission with final action to be determined by Metro Council.

PRELIMINARY APPROVAL
DEVELOPMENT PLAN
CONDITIONS

APPROVED
JULY 10, 2024
PLANNING COMMISSION

