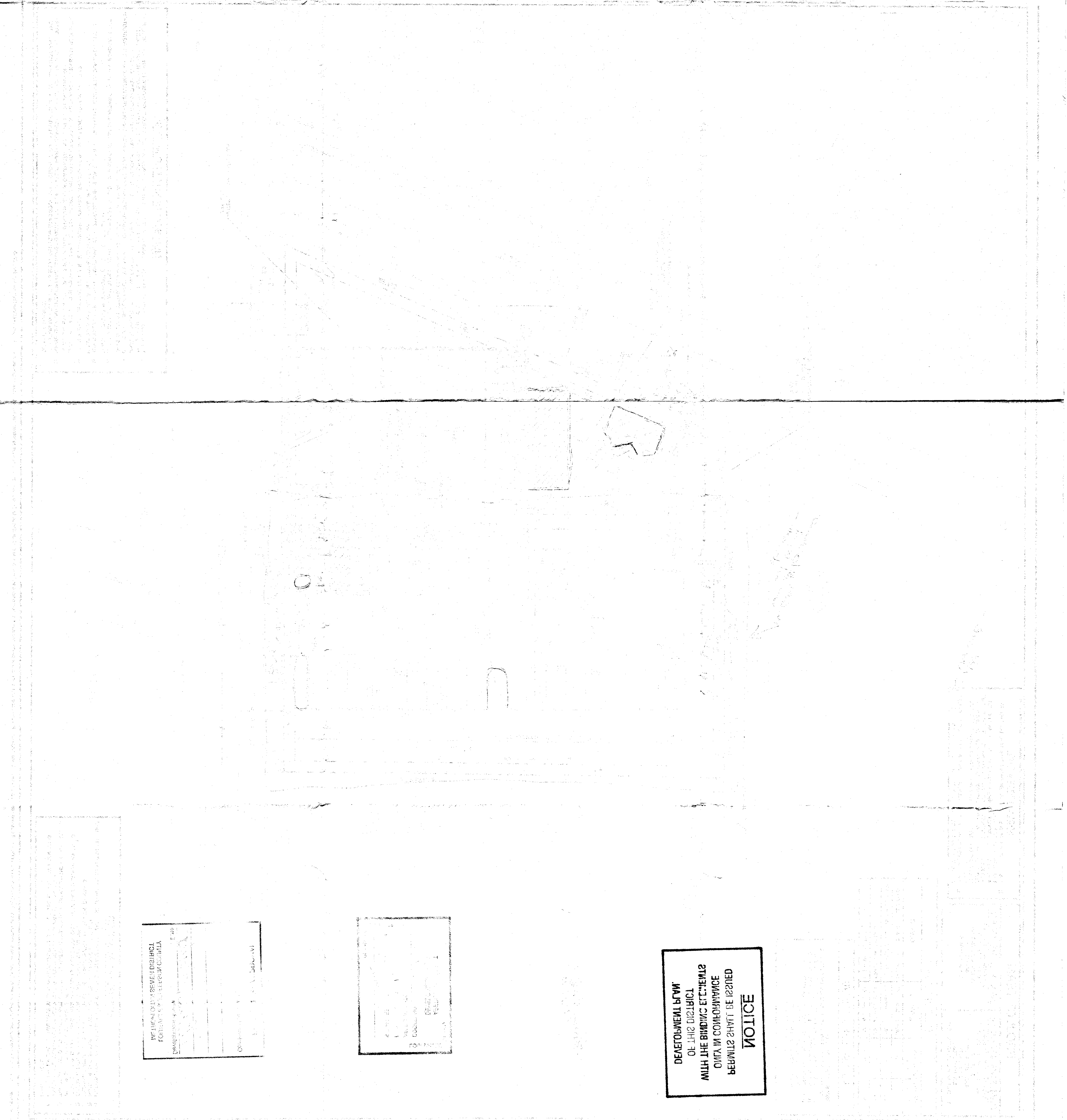
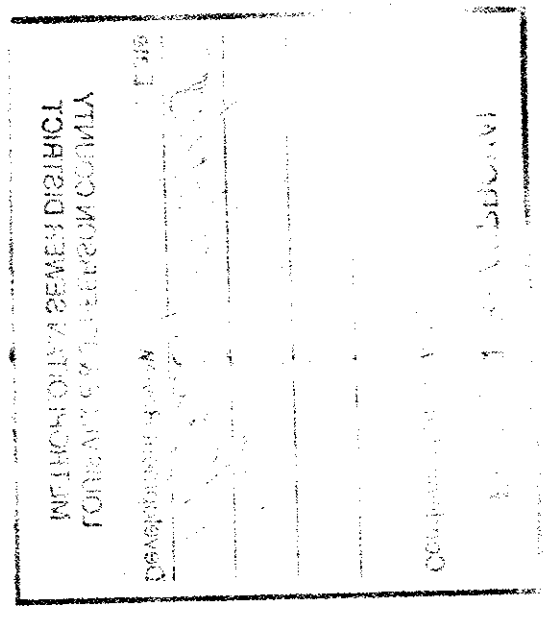
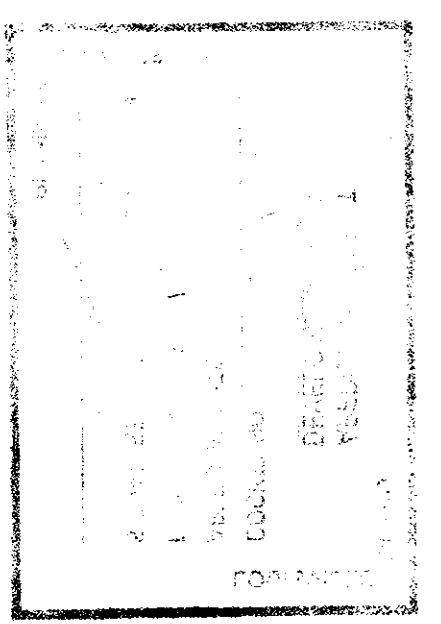


BINDING ELEMENTS
CASE NO. 14ZCONE1030

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 development shall not exceed 8,320 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 Louisville Metro Department of Inspections, Permits and Licenses, 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 obtaining any permits. Such plan shall be implemented prior to occupancy of the site and shall be maintained thereafter.
 - c. A minor plat or legal instrument shall be recorded consolidating the property into one lot. A copy of the recorded instrument shall be submitted to the Division of Planning and Design Services' Transmittal of the approved plans to the office responsible for permit issuance will occur only after receipt of said instrument.
 - 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.
6. 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.
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 nature 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 assigns, 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 April 2nd, 2015 Planning Commission meeting.
9. No idling of trucks shall take place within 200 feet of single-family residences. No overnight idling of trucks shall be permitted on-site.
10. State Level 1 documentation is required to record all the historic resources on the property. The required elements for the documentation include:
 - a. Archival quality photographs (include digital copies on a CD)
 - b. Completion of Kentucky Historic Resources Inventory Form, including a statement of significance
 - c. A site plan showing the historic resources and property boundary
11. Property owners shall be responsible for assuring that the parking lots, sidewalks and landscape areas are kept free of litter and that trash receptacles are provided and regularly emptied. Failure to do so shall be subject to citation as a Binding Element Violation.
12. The applicant will provide a split-face block enclosure for the trash dumpsters along with a chain link fence front and the colors would be provided for that material to match, as closely as possible, the facade of the existing building



ЭЦІОН
ДЗУПЭ 30 ДАІЭ 21П/РЭР
ЗУМАКІРОВАНО ІН УЛІО
21МАР-113 СМІВІВ ЗНТ НТІВ
ТОІРЭІО ЗНТ 10
МАЯ ТІАНРОВАВЭВ



REV #	DATE	BY	CHECKED

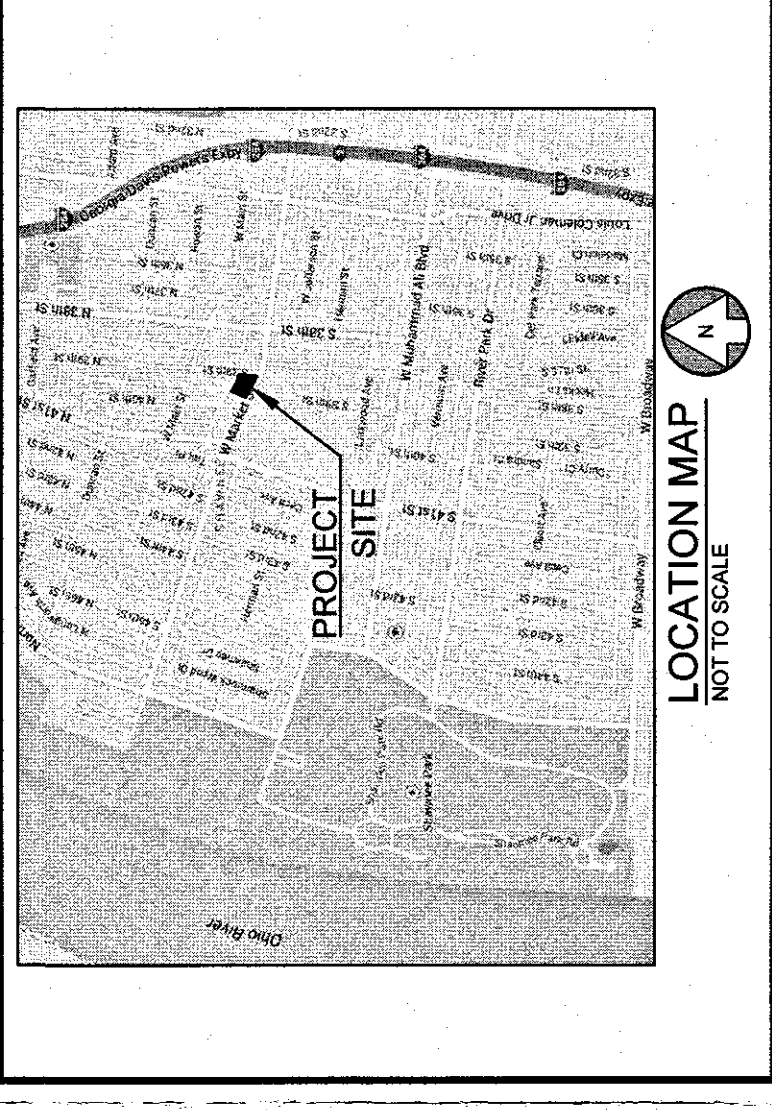
CLIENT
 THE HUTTON COMPANY
 736 CHERRY STREET, CHATTANOOGA, TN 37402
 3901 W MARKET STREET
 PARCEL ID: 009J0100000
 LOUISVILLE, JEFFERSON COUNTY, KY

DESIGN TEAM
 DESIGNED BY: TS
 REVIEWED BY: MSL
 DATE: MAR 19 2015

811
 Know what's below.
 Call before you dig.

SCALE & NORTH ARROW:
 NORTH ARROW
 SCALE: 1" = 20'
 0' 10' 20' 40'

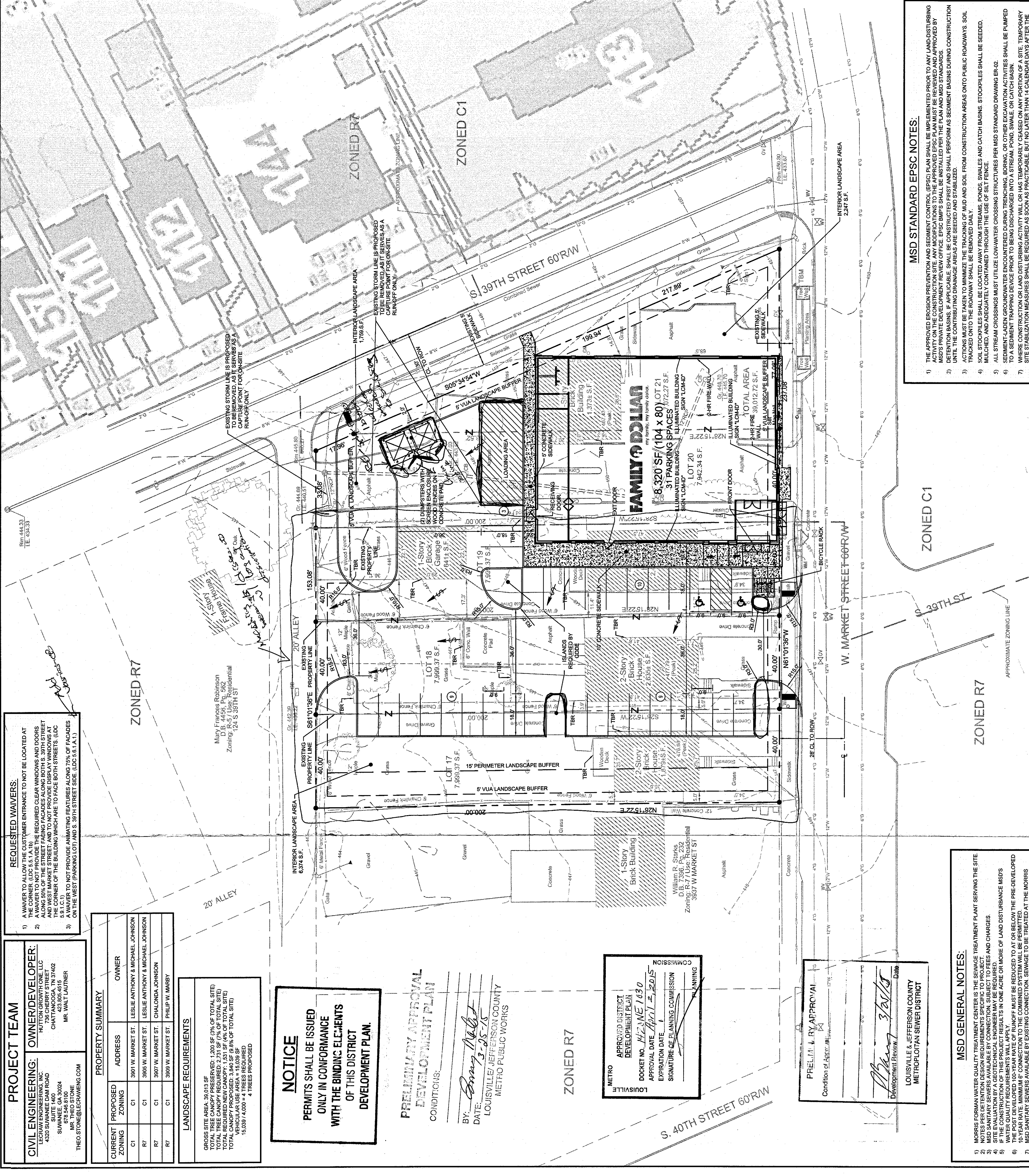
EXHIBIT
 REZONING SITE PLAN
 DATE: MARCH 03, 2015
 JOB #: 10A001
 WMM# 11008



- GENERAL SITE NOTES:**
- 1) ALL DIMENSIONS ARE TO THE FACE OF CURB UNLESS SPECIFIED OTHERWISE
 - 2) ALL TREES SHALL HAVE PROPER PROTECTION DURING CONSTRUCTION UNLESS APPROVED PLANS INDICATE OTHERWISE
 - 3) TOPOGRAPHIC SURVEY BY LAND DESIGN & DEVELOPMENT, INC., AUGUST 12, 2014. BENCHMARK IS 211110023E, DECEMBER 5, 2008
 - 4) FLOOD PLAN IS NOT PRESENT ON THIS SITE AS SHOWN ON THE FEMA FIRM MAP NUMBER 211110023E, DECEMBER 5, 2008
 - 5) 1 HANDICAP SPACE IS REQUIRED TO BE VAN ACCESSIBLE WITH A MINIMUM 96" WIDE ACCESS AREA
 - 6) ACCESSIBLE PARKING AREAS, INCLUDING AISLES, SHALL SLOPE NO MORE THAN 2% IN ANY DIRECTION
 - 7) THE OWNER IS RESPONSIBLE FOR OBTAINING ANY NECESSARY ASSESSMENTS FROM ADJACENT PROPERTY OWNERS IN ORDER TO PERFORM THE REQUIRED OFF-SITE WORK, INCLUDING, STORM DRAINAGE, CURB AND GUTTER AND PAVEMENT TIE-INS AND GRADING
 - 8) REFERENCE ARCH PLANS FOR DIRECTIONAL SIGNAGE, SITE SIGNAGE, BUILDING DIMENSIONS, ETC
 - 9) ALL NEW PAVEMENT SHALL MEET OR EXCEED GEOTECHNICAL SPECIFICATION. SEE REPORT PREPARED BY TERRACON DATED MARCH 24, 2014
 - 10) MITIGATION MEASURES FOR DUST CONTROL SHALL BE IN PLACE DURING CONSTRUCTION TO PREVENT FUGITIVE PARTICULATE EMISSIONS FROM REACHING EXISTING ROADS AND NEIGHBORING PROPERTIES
 - 11) ALL WORK WITHIN RIGHT-OF-WAY WILL REQUIRE AN ENCROACHMENT PERMIT AND BOND
 - 12) THE SITE'S CURRENT USE IS THREE (3) RESIDENTIAL LOTS FOR A SINGLE TENANT DISCOUNT STORE
 - 13) THE SITE IS PROPOSED TO BE ONE (1) COMMERCIAL LOT FOR A SINGLE TENANT DISCOUNT STORE
 - 14) EXISTING TRANSIT STOP IS LOCATED APPROXIMATELY 110' F. TO THE EAST FROM THE INTERSECTION OF S. 39TH STREET AND W. MARKET STREET

SITE SUMMARY

SITE AREA	0.98 ACRES (42,813 SF)
IMPERVIOUS AREA	0.65 ACRES (27,406 SF) - 10%
PERVIOUS AREA	0.27 ACRES (11,606 SF) - 30%
IMPERVIOUS AREA SUMMARY	TBD ACRES (TBD SF)
EXISTING IMPERVIOUS AREA	0.60 ACRES (26,304 SF)
NET INCREASE	TBD ACRES (TBD SF)
JURISDICTION	CITY OF LOUISVILLE
ZONING	C-1, TRADITIONAL NEIGHBORHOOD
ADJACENT ZONING (NORTH)	R-7
ADJACENT ZONING (SOUTH)	R-7
ADJACENT ZONING (WEST)	R-7
ADJACENT ZONING (EAST)	C-2
BUILDING SUMMARY	26'-0"
BUILDING HEIGHT AT ENTRY TOWER	22'-10"
BUILDING HEIGHT ALONG SIDES	8,400 SF
BUILDING AREA	3,333 SQUARE FEET
PARKING SUMMARY	17 SPACES
PARKING REQ. (MAX)	5.00 SPACES/1,000 S.F.
PARKING PROV.	3.78 SPACES/1,000 S.F.
STANDARD STALL DIMENSIONS	9' x 18'
MIN. DRIVE WIDTH	30'
LONG-TERM BICYCLE PARKING REQ.	2 SPACES/50,000 SF GFA
SHORT-TERM BICYCLE PARKING REQ.	2 SPACES/25,000 SF GFA
LONG-TERM BICYCLE PARKING PROV.	2 SPACE
SHORT-TERM BICYCLE PARKING PROV.	2 SPACE
BUILDING SETBACKS	AT FRW
FRONT YARD	N/A
REAR	5'
LANDSCAPE BUFFER AREA	5' VIA
FRONT YARD	5' VIA, 15' PERIMETER
REAR	5' VIA, 15' PERIMETER
VEHICULAR USE AREA (VIA) REQ.	15,866 SF
INTERIOR LANDSCAPE AREA (VIA) REQ.	794 SF (6.0% VIA)
VIA PROVIDED	1,557 SF (3.6% VIA)



PROJECT TEAM
CIVIL ENGINEERING: OWNER/DEVELOPER:
 HUTTON GROWTH ONE, LLC
 SUWANEE, GA 30024
MR. THEO STONE
 MR. THEO STONE
 MR. VANCE LAYNER

PROPERTY SUMMARY

CURRENT ZONING	PROPOSED ZONING	ADDRESS	OWNER
R7	C1	3901 W MARKET ST.	LESLIE ANTHONY & MICHAEL JOHNSON
R7	C1	3908 W MARKET ST.	LESLIE ANTHONY & MICHAEL JOHNSON
R7	C1	3907 W MARKET ST.	CHALONDA JOHNSON
R7	C1	3909 W MARKET ST.	PHILIP W. MAREY

LANDSCAPE REQUIREMENTS
 GROSS SITE AREA: 39,013 SF
 TOTAL TREE CANOPY PRESERVED: 1,200 SF (3% OF TOTAL SITE)
 TOTAL TREE CANOPY REMOVED: 1,331 SF (3% OF TOTAL SITE)
 TOTAL REQUIRED NEW CANOPY: 1,331 SF (3% OF TOTAL SITE)
 TOTAL CANOPY PROPOSED: 3,940 SF (10% OF TOTAL SITE)
 15,039 14,000 - 4 TREES REQUIRED
 4 TREES PROPOSED

NOTICE
 PERMITS SHALL BE ISSUED ONLY IN CONFORMANCE WITH THE BINDING ELEMENTS OF THIS DISTRICT DEVELOPMENT PLAN.

PRELIMINARY APPROVAL DEVELOPMENT PLAN
 CONDITIONS:
 BY: *Benjamin N. Holt*
 DATE: 3-25-15
 LOUISVILLE, JEFFERSON COUNTY METRO PUBLIC WORKS

METRO LOUISVILLE APPROVED DISTRICT DEVELOPMENT PLAN
 DOCKET NO. *HZ-2015-030*
 APPROVAL DATE: *APR 1 2 2015*
 EXPIRATION DATE: *1 1 2015*
 SIGNATURE OF PLANNING COMMISSION: *[Signature]*
 COMMISSION: *[Signature]*

PHILIP W. MAREY APPROVAL
 Condition of Approval: *[Signature]*
 Date: *3/25/15*
 Development Review: *[Signature]*
 LOUISVILLE & JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT

- MSD GENERAL NOTES:**
- 1) MORRIS FORMAN WATER TREATMENT CENTER IS THE SEWAGE TREATMENT PLANT SERVING THE SITE
 - 2) MSD SANITARY SEWERS AVAILABLE BY CONNECTION. SUBJECT TO FEES AND CHARGES
 - 3) MSD SANITARY SEWERS AVAILABLE BY CONNECTION. SUBJECT TO FEES AND CHARGES
 - 4) SITE EVALUATION BY A GEOTECHNICAL ENGINEER MAY BE REQUIRED
 - 5) WATER QUALITY REQUIREMENTS WILL APPLY
 - 6) THE POST DEVELOPED 100-YEAR RATE OF RUNOFF MUST BE REDUCED TO AT OR BELOW THE PRE DEVELOPED 100-YEAR RATE OF RUNOFF
 - 7) MSD SANITARY SEWERS AVAILABLE BY EXISTING CONNECTION. SEWAGE TO BE TREATED AT THE FORMAN WWT.

- MSD STANDARD EPSC NOTES:**
- 1) THE APPROVED EROSION PREVENTION AND SEDIMENT CONTROL (EPSC) PLAN SHALL BE IMPLEMENTED PRIOR TO ANY LAND-DISTURBING ACTIVITIES. THE EPSC PLAN SHALL BE REVIEWED AND APPROVED BY THE MSD SANITARY SEWERS DISTRICT ENGINEER.
 - 2) DETENTION BASINS, IF APPLICABLE, SHALL BE CONSTRUCTED FIRST AND SHALL PERFORM AS SEDIMENT BASINS DURING CONSTRUCTION UNTIL THE CONTRIBUTING DRAINAGE AREAS ARE SEEDING AND STABILIZED.
 - 3) SOIL STOCKPILES SHALL BE LOCATED AWAY FROM STREAMS, PONDS, SWALES AND CATCH BASINS. STOCKPILES SHALL BE SEEDING MULCHED, AND ADEQUATELY CONTAINED THROUGH THE USE OF SILT FENCE.
 - 4) ALL STREAM CROSSINGS MUST UTILIZE LOW-WATER CROSSING STRUCTURES PER MSD STANDARD DRAWING ER-02.
 - 5) SEDIMENT LADEN GROUNDWATER ENCOUNTERED DURING TRENCHING, BORING, OR OTHER EXCAVATION ACTIVITIES SHALL BE PUMPED TO THE SURFACE AND STORED IN A DRAINAGE POND OR TRENCH. THE PUMPING AND STORAGE SHALL BE MONITORED BY A SITE SUPERVISOR. THE PUMPING AND STORAGE SHALL BE MONITORED BY A SITE SUPERVISOR. THE PUMPING AND STORAGE SHALL BE MONITORED BY A SITE SUPERVISOR.
 - 6) ALL STREAM CROSSINGS MUST UTILIZE LOW-WATER CROSSING STRUCTURES PER MSD STANDARD DRAWING ER-02.
 - 7) SITE STABILIZATION MEASURES SHALL BE REQUIRED AS SOON AS PRACTICABLE BUT NO LATER THAN 14 CALENDAR DAYS AFTER THE ACTIVITY IS CEASED.