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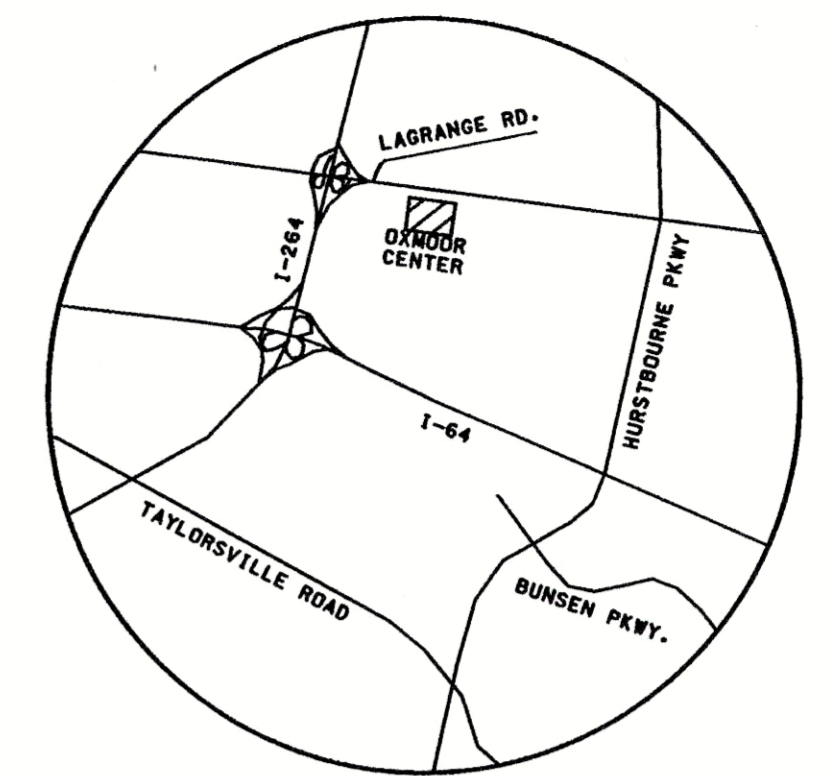
GRESHAM SMITH AND PARTNERS
239 South Fifth Street
Louisville, Kentucky 40202
502.627.8900
www.gspnet.com

REVISED DEVELOPMENT PLAN
OXMOOR CENTER
7900 SHELBYVILLE ROAD
LOUISVILLE KY 40222

No.	Date	Revision
1	5/10/05	CHANGES AS NOTED PER PDS

REVISED DEVELOPMENT PLAN

DOCKET # 9-49-83, PW-10-00
FILE: P1237681\13768P03.dgn
DATE: 6/2/05



LOCATION MAP NTS

EXISTING USE

GROSS BUILDING AREA = 1,171,072 SQ. FT.
GROSS LEASEABLE AREA = 959,751 SQ. FT.
RESTAURANT LEASEABLE AREA = 13,819 SQ. FT.
RETAIL LEASEABLE AREA = 943,932 SQ. FT.

PARKING SUMMARY

R-7 TOTAL SITE AREA = 70 acres
FLOOR AREA RATIO = 0.47
STORIES HEIGHT = 1-2 stories, 48' max.
EXISTING ZONING = C-1, C-2
EXISTING FORM DISTRICT = REGIONAL CENTER
EXISTING USE = SHOPPING MALL (RETAIL AND RESTAURANT)

REQUIRED:

① RESTAURANT 1/125 = 127 SPACES
② RETAIL 1/200 = 4,720 SPACES

SUB TOTAL = 4,847 SPACES
5% TARC REDUCTION = 242 SPACES
TOTAL = 4,605 SPACES

AVAILABLE = 4,330 SPACES
(59 HANDICAP SPACES PROVIDED
(54 HANDICAP SPACES REQUIRED))

PARKING WAIVER REQUESTED = 275 (6.0%) SPACES

* NOT INCLUDED IN PARKING TOTALS

V.U.A. SUMMARY

TOTAL V.U.A. = 1,692,000 SF
ILA REQUIRED ** = 0 SF **
ILA PROVIDED = 45,700 SF

R-4 *# Oxmoor Mall was approved in 1983. Landscaping requirements, including ILAs, became effective under the landscape code which was adopted in 1987. No changes to the approved plan have been requested that would necessitate compliance with the existing landscape code, including the provision of ILAs. Information included regarding existing landscaped areas (labeled as "ILA provided") that would be considered ILAs under the landscape provisions of the Land Development Code is provided at the request of staff and is not intended to indicate a requirement imposed by planning staff, or an intent of the applicant to comply with existing ILA or other landscape requirements.

PRELIMINARY APPROVAL

Conditions of Approval

Restamp for parking waiver

Joyce Daugherty 6-2-05

LOUISVILLE & JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT

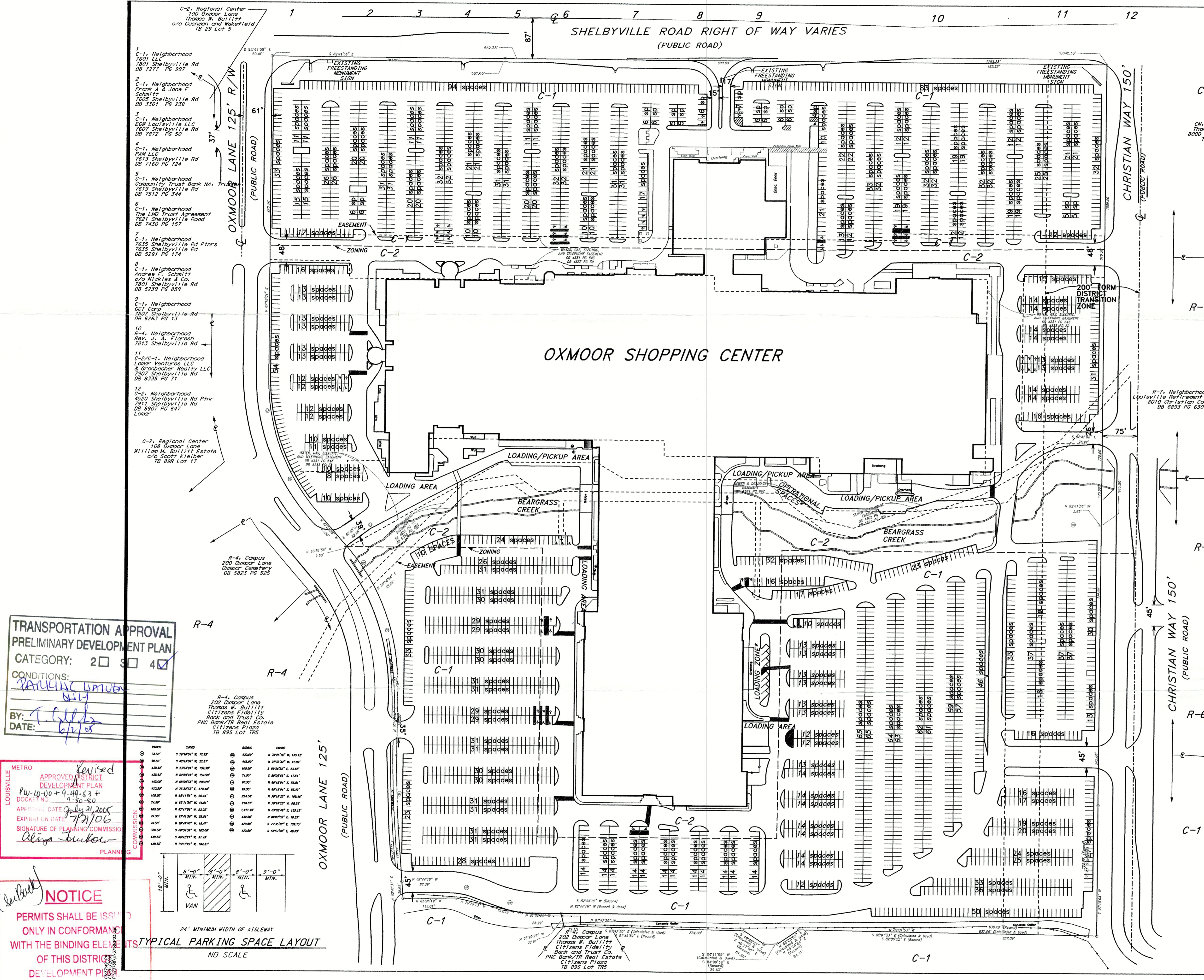
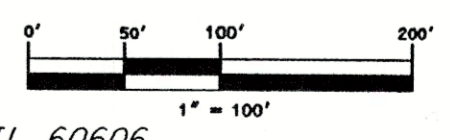
RELATED CASES

C-1 DOCKET # 10-9-80, 9-49-83, 9-50-80, B-197-98, B-149-00, PW-10-00

PROJECT INFORMATION

7900 SHELBYVILLE ROAD
LOUISVILLE KY 40222
WB 96 PG 1, WAB 197, PG 289
TB 89N LOT 7
OWNER:
Hocker Oxmoor, LLC
110 Noah Wacker Drive, Chicago, IL 60606

THE REVISED DEVELOPMENT PLAN RELIES ON AN ALTA SURVEY DATED MARCH 27, 2003 BY BOCK & CLARK CORPORATION



TRANSPORTATION APPROVAL
PRELIMINARY DEVELOPMENT PLAN
CATEGORY: 2 3 4

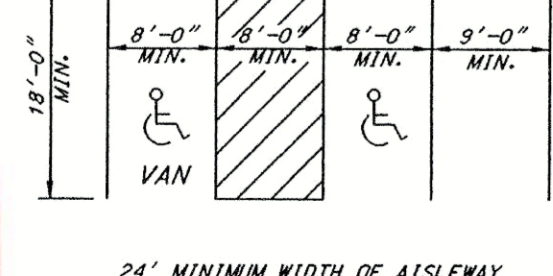
CONDITIONS:
Parking waiver

BY: T. Gillette
DATE: 6/2/05

APPROVED DISTRICT DEVELOPMENT PLAN
PW-10-00 + 9-49-83 + 9-50-80
DOCK: No. 9-50-80
APPROVAL DATE: July 21, 2005
EXPIRATION DATE: 7/21/06
SIGNATURE OF PLANNING COMMISSION: *Alisa Tucker*

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

NO.	DESCRIPTION	NO.	DESCRIPTION
1	7900 SHELBYVILLE RD	1	7900 SHELBYVILLE RD
2	7900 SHELBYVILLE RD	2	7900 SHELBYVILLE RD
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TYPICAL PARKING SPACE LAYOUT
NO SCALE

RECEIVED JUN 02 2005
PLANNING & DESIGN SERVICES

PW-10-00
9-50-80
9-49-83

BINDING ELEMENTS

DOCKET NO. 9-49-83 & 9-50-80

1. The development shall be in accordance with the approved district development plan and agreed upon binding elements unless amended pursuant to the Zoning District Regulations. Any changes, additions or alterations of any binding element(s) shall be submitted to the Planning Commission for review and approval; any changes/additions/alterations not so referred shall not be valid.
2. Total building area for Osmoor Center shall not exceed 1,171,072 square feet of gross floor area, gross leasable space shall not exceed 959,751 square feet. Additional gross building area and/or gross leasable space may be permitted if a revised district development plan is approved together with either (i) additional parking provided pursuant to LDC Article 9, or (ii) approval of an appropriate parking waiver, both of which require filing a revised development plan.
3. No outdoor advertising signs, small freestanding signs, pennants, balloons, or banners shall be permitted on the site.
4. Outdoor storage is not permitted on site except as permitted by LDC Sec. 4.4.8 and as designated on an approved revised development plan.
5. Before any permit (including but not limited to building, parking lot, change of use or alteration permit) is requested:
 - a. The development plan must receive full construction approval from the Department of Inspections, Permits and Licenses and Transportation and the Metropolitan Sewer District.
 - b. The property owner/developer must obtain approval of a detailed plan for screening (buffering/landscaping) as described in Article 12 prior to requesting a building permit. Such plan shall be implemented prior to occupancy of the site and shall be maintained thereafter.
 - c. Crossover and parking agreements shall be obtained. A copy of the recorded instrument(s) shall be submitted to the Department of Planning and Design Services. Annual re-certification is required.
6. If a building permit is not issued within one year of the date of approval of the plan, 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. If work is required within the easements causing removal or damage of landscape materials, the property owner shall be responsible for replacement of materials according to the approved landscape plan.
10. The Planning Commission shall require a full traffic and air quality analysis, including an arterial analysis for Shelbyville Road, before considering any additional development of the general area known as Osmoor Center/The Bullitt Farm. This binding element shall apply to any commercial, retail, residential or office development. The aforementioned analysis shall include expected traffic from all approved developments within the impact area, as defined by the Department of Public Works. It shall also include any proposed roadway improvements expected to be completed before completion of the proposed development. The goal of the traffic analysis is to recommend appropriate mitigation measures to accommodate expected traffic from the proposed development. Mitigation measures for traffic and air quality shall include, but not limited to, recommended signal timing adjustments along Shelbyville Road and construction of Bunsen/Bowling Parkway, in part or whole. The Developer should also furnish additional mitigation recommendations, as required, at impacted intersections.
11. No parking of vehicles in the Star Ford inventory shall take place at the parking areas subject to the Parking Waiver, unless a joint parking agreement is approved by the Planning Commission. The applicant of PW-10-00 shall provide Star Ford with the above conditions of approval.

CONDITIONS OF APPROVAL FOR DOCKET NO. PW-10-00

1. The development shall be in accordance with the approved revised development plan for Osmoor Center (prepared by Gresham Smith & Partners, dated 5/04/05) and conditions of approval. Any changes, additions or alterations of any conditions shall be submitted to the Planning Commission for review and approval; any changes/alterations not so referred shall not be valid.
2. Total building area for Osmoor Center shall not exceed 1,171,072 square feet of gross floor area; gross leasable space shall not exceed 959,751 square feet. Additional gross building area and/or gross leasable space may be permitted if a revised district development plan is approved together with either (i) additional parking provided pursuant to LDC Article 9, or (ii) approval of an appropriate parking waiver, both of which require filing a revised development plan.
3. No outdoor advertising signs, small freestanding signs, pennants, balloons or banners shall be permitted.
4. Outdoor storage is not permitted on site except as permitted by LDC Sec. 4.4.8 and as designated on an approved revised development plan.
5. Crossover and parking agreements shall be obtained. A copy of the recorded instrument(s) shall be submitted to the Department of Planning and Design Services. Annual re-certification is required.
6. No parking of vehicles in the Star Ford inventory shall take place at the parking areas subject to the Parking Waiver, unless a joint parking agreement is approved by the Planning Commission. The applicant of PW-10-00 shall provide Star Ford with the above conditions of approval.

EXISTING CONDITIONS OF APPROVAL FOR B-149-00 (CUP ON THE ADJACENT LOT TO THE SOUTH)

1. The site shall be developed in strict compliance with the approved development plan (including all notes thereon). No further development shall occur on the site without prior review and approval by the Board.
2. The site shall be landscaped in accordance with the requirements of Article 12 of the Zoning District Regulations.
3. The Conditional Use Permit shall only be "exercised" as described in KRS 100.237 within one year of the Board's vote on this case. If the Conditional Use Permit is not so exercised, the site shall not be used for off-street parking without further review and approval by the Board.
4. The Conditional Use Permit shall only be used if a parking waiver adequate to accommodate all necessary parking is not obtained. In the event a parking waiver is granted and parking in the Conditional Use Permit area is not required to be as large as approved by the Board, then the Conditional Use Permit parking area may be reduced. Such a reduction may be approved by the Department of Planning and Development Services staff, in its discretion, without further Board action.

TRANSFORMATION APPROVAL
PRELIMINARY DEVELOPMENT PLAN
CATEGORY: 2 3 4
COORDINATOR: _____
DATE: _____
BY: _____



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