

GENERAL NOTES

- Parking area and drive lanes to be a hard and durable surface
- No portion of the site is within the 100 year flood plain per FIRM Map No. 21111 C 0115 D date February 2, 1994.
- Drainage pattern depicted by arrows (→) is for conceptual purposes. Final configuration and size of drainage pipes and channels shall be determined during the construction plan design process. Drainage facilities shall conform to MS9 for approval.
- Erosion and Silt Control: Prior to any construction activities on the site a Erosion and Silt Control Plan shall be provided to MS9 for approval.
- All lighting on the site shall be directed down and away from adjacent residential uses and the State right-of-way.
- Sanitary sewer service will be provided by lateral extension and existing sanitary. A letter stating that sanitary sewer capacity is available will be required from Middletown Waste Disposal, Inc. prior to preliminary plan approval.
- Any change in runoff to the State right-of-way will be subject to encroachment permit review. Calculations will be required for any change in runoff to the State right-of-way. There should be no increase in drainage runoff to the right-of-way.
- There should be no commercial signs located in the state right-of-way and there shall be no landscaping or work done in the state right-of-way without an encroachment permit.
- A "Recreational Parking and Cross-over Access Agreement" has been recorded in DP 5892 Pg. 404.
- The Bearings and Distances shown herein do not constitute a surveyed boundary.
- An encroachment permit and bond will be required for work in the R/W.
- Building Setbacks along English Station Road are 60' from centerline.
- Building Setbacks along Aiken Road are 40' from centerline.
- Existing detention basin to be enlarged if necessary to accommodate increased runoff.
- All existing drainage structures to be checked for capacity due to increase in runoff.
- Restriping of English Station Road to provide for left-turn storage near Shelbyville Road intersection as conceptually shown, shall be done in accordance with MUTCD and as required by Metro Public Works. Developer shall be responsible for all signal modifications as required by KYTC. A detailed geometric and striping plan of the entire intersection and of all areas to be restriped along English Station Road shall be provided prior to construction approval by Metro Public Works. All work shall be completed prior to the request for occupancy of the Wal-Mart.
- Any further development of the site shall be required to provide an updated traffic and air quality analysis as required by KYTC, APCD and Planning & Design Services to determine transportation improvement needs included but not limited to: Signal timing changes, signal modifications, left and right turn adjustments, and road improvements.
- Future sidewalks along Shelbyville Road, Aiken Road and English Station Road will be addressed as part of future detailed plan approvals for Tract B. Existing developments that have not constructed sidewalks may be subject to code enforcement action.
- All roadway and entrance intersections shall meet the requirements for landing areas as set by Metro Public Works.
- Verge areas within public right-of-way to be provided per Metro Public Works.
- Cross over and parking agreements shall be provided where applicable.
- A future Aiken Road access drive will be permitted for residual tract "A". The location of that drive will be determined based on optimal sight lines and grade conditions.
- To comply with the Shelbyville Road Beautification Plan, this detailed plan proposes new sidewalks and landscaping along N. English Station Road frontage. The address range for this site is 12957 thru 12991.

TARC Stop - Shelter

The Park and Ride agreement for use of 15 spaces will be in a written agreement, the property owner agrees to provide written notification if use is to be discontinued.

DEVELOPMENT SUMMARY

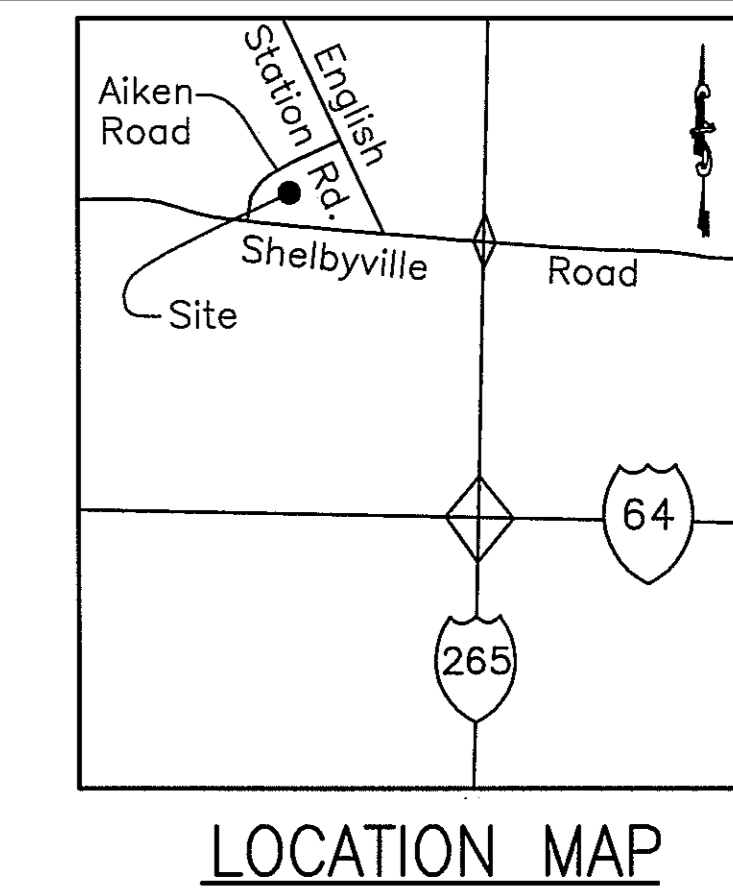
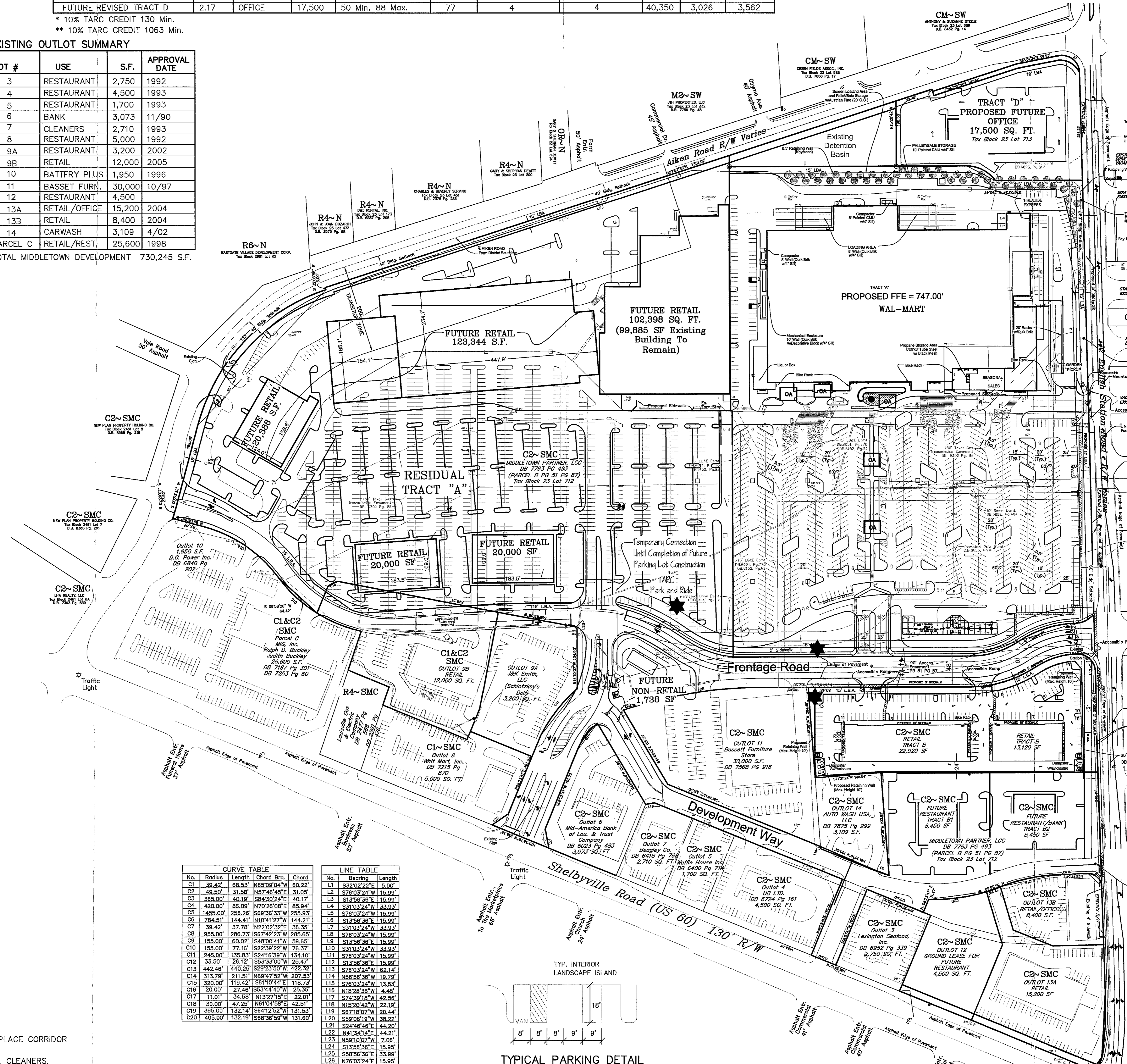
TRACT	ACRES	USE	S.F.	PARKING REQUIRED	PARKING PROVIDED	ACCESSIBLE PARKING REQUIRED	ACCESSIBLE PARKING PROVIDED	VJA	ILA REQUIRED	ILA PROVIDED
EXISTING TRACT A	20.08	WAL-MART	242,711	928 MIN 1180 MAX	936	19	24	491,373	36,853	42,856
FUTURE RESIDUAL TRACT A	30.12	RETAIL/NON-RETAIL	295,270	1181 Min. 1476 Max.**	1217	21	22	591,998	44,400	45,583
PROPOSED REVISED TRACT B	2.87	RETAIL	36,040	144 Min. 180 Max. *	144	5	5	58,856	5,213	5,489
FUTURE TRACT B-1	1.30	RESTAURANT	8,450	68 Min. 169 Max.	94	4	4	35,765	2,682	2,918
FUTURE TRACT B-2	1.15	RESTAURANT	5,450	44 Min. 109 Max.	70	3	3	26,246	1,312	1,572
FUTURE REVISED TRACT D	2.17	OFFICE	17,500	50 Min. 88 Max.	77	4	4	40,350	3,026	3,562

* 10% TARC CREDIT 130 Min.
** 10% TARC CREDIT 1063 Min.

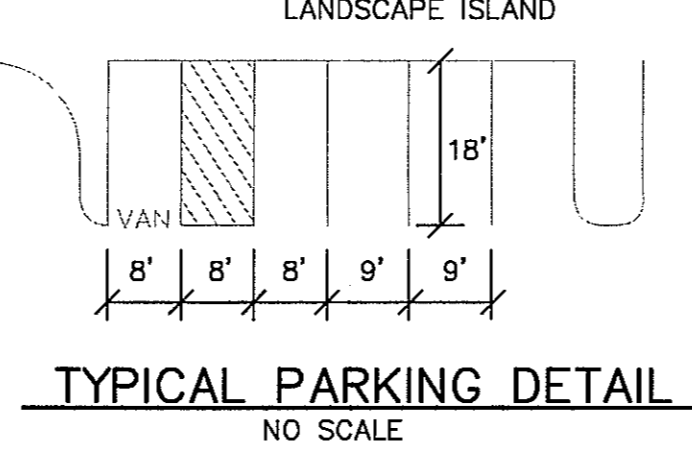
EXISTING OUTLOT SUMMARY

LOT #	OUTLOT	S.F.	APPROVAL DATE
3	RESTAURANT	2,750	1992
4	RESTAURANT	4,500	1993
5	RESTAURANT	1,700	1993
6	BANK	3,073	11/90
7	CLEANERS	2,710	1993
8	RESTAURANT	5,000	1992
9A	RESTAURANT	3,200	2002
9B	RETAIL	12,000	2005
10	BATTERY PLUS	1,950	1996
11	BASSET FURN.	30,000	10/97
12	RESTAURANT	4,500	
13A	RETAIL/OFFICE	15,200	2004
13B	RETAIL	8,400	2004
14	CARWASH	3,109	4/02
PARCEL C	RETAIL/REST.	25,600	1998

TOTAL MIDDLETOWN DEVELOPMENT 730,245 S.F.



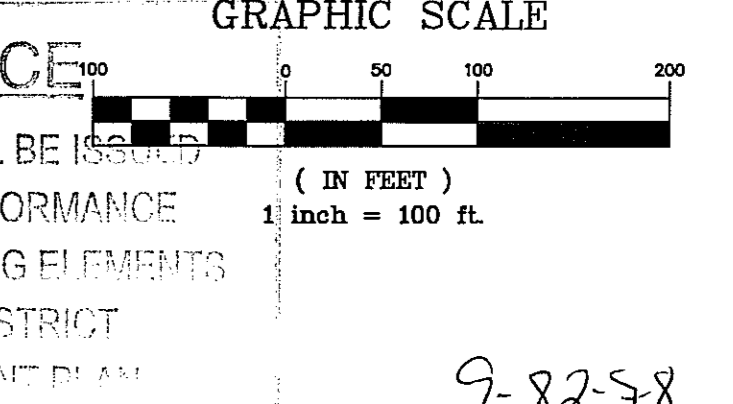
CURVE TABLE				LINE TABLE			
No.	Radius	Length	Chord	No.	Bearing	Length	
C1	38.42'	88.53'	N85°00'04"W 60.22'	L1	S32°02'22"E	5.00'	
C2	49.50'	31.58'	N57°46'45"E 31.05'	L2	S13°03'24"W	15.99'	
C3	365.00'	40.18'	S84°30'24"E 40.17'	L3	S13°56'36"E	15.99'	
C4	420.00'	88.09'	N72°26'08"E 85.94'	L4	S31°03'24"W	13.93'	
C5	1455.00'	258.25'	S69°16'33"W 258.93'	L5	S78°03'24"W	13.83'	
C6	784.51'	144.41'	N10°41'27"W 144.21'	L6	S13°56'36"E	15.99'	
C7	39.42'	37.78'	N72°26'32"E 36.35'	L7	S31°03'24"W	13.93'	
C8	955.00'	288.71'	S87°42'23"W 289.62'	L8	S78°03'24"W	13.93'	
C9	155.00'	60.02'	S48°00'41"W 59.85'	L9	S13°56'36"E	15.99'	
C10	155.00'	77.16'	S22°39'22"W 76.37'	L10	S31°03'24"W	13.93'	
C11	245.00'	135.83'	S24°16'39"W 134.10'	L11	S78°03'24"W	13.93'	
C12	33.50'	26.12'	S53°33'00"W 25.47'	L12	S13°56'36"E	15.99'	
C13	442.46'	140.25'	S29°23'50"W 142.32'	L13	S78°03'24"W	13.93'	
C14	315.79'	211.51'	N69°47'52"W 207.53'	L14	N88°36'36"E	13.79'	
C15	320.00'	119.42'	S61°10'44"E 118.75'	L15	S78°03'24"W	13.83'	
C16	20.00'	27.45'	S53°44'40"W 25.35'	L16	N18°28'36"W 4.48'		
C17	11.01'	34.58'	N132°15'E 22.01'	L17	S74°36'18"E 42.56'		
C18	30.00'	47.25'	N61°10'58"E 42.51'	L18	N15°20'24"W 12.19'		
C19	395.00'	132.14'	S64°12'52"W 131.53'	L19	S67°18'07"W 20.44'		
C20	405.00'	132.19'	S68°38'59"W 131.60'	L20	S59°06'18"W 38.22'		
				L21	S24°45'48"E 44.28'		
				L22	N41°35'14"E 44.21'		
				L23	N59°10'07"W 7.06'		
				L24	S13°56'36"E 15.99'		
				L25	S39°58'08"E 13.99'		
				L26	N78°03'24"E 15.99'		
				L27	S13°56'36"E 15.99'		
				L28	S58°56'36"E 14.45'		
				L29	N13°56'09"W 94.79'		
				L30	S78°03'24"W 26.97'		
				L31	N13°56'36"E 14.99'		
				L32	S75°53'25"W 3.50'		
				L33	N59°06'20"E 6.25'		



TRANSPORTATION APPROVAL
PRELIMINARY DEVELOPMENT PLAN
 CATEGORY: 2 3 4
 CONDITIONS:
 BY: [Signature]
 DATE: 3/4/07

PRELIMINARY APPROVAL
 Conditions of Approval:
 [Signature] [Signature]
 Date: []/ []/ []
 LOUISVILLE & JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT

RECEIVED
 APPROVED DISTRICT DEVELOPMENT PLAN
 DOCKET NO. 9-82-78
 APPROVAL DATE 3/8/07
 EXPIRATION DATE 3/8/09
 SIGNATURE OF PLANNING COMMISSION [Signature]
 PLANNING & DESIGN SERVICES



9-82-78

REVISIONS

NO.	DATE	BY	DESCRIPTION
1	2/19/07	PER AGENCY REVIEW	
2	3/1/07	MANUALLY RE-CHECKED	

BTM ENGINEERING, INC.
 Consulting Engineers Landscape
 3001 Taylor Springs Road
 Louisville, KY 40220
 Phone: (502) 459-8400
 Fax: (502) 459-8427

DATE: []/ []/ []

SIGNATURE: []

DATE: []/ []/ []

PREPARED FOR: **MIDDLETOWN STATION**
 REVISED GENERAL DISTRICT DEVELOPMENT PLAN
 12976 SHELBVILLE ROAD, Louisville, KY 40223
 OWNER: **MIDDLETOWN PARTNERS, LLC**
 12975 SHELBVILLE ROAD, Suite 221 Louisville, KY 40223

DRAWN BY: KEH
 CHECKED BY: GTC
 DATE: 1/17/06
 DRAWING NO: 040293CENPLANJAN07
 SCALE: 1"=100'
 SHEET 1 OF 1

Binding Elements for the General Plan – Docket #8-82-78WV

- 1) The following uses permitted in a C-2 district will not be allowed in any phase of Middletown Station Center:
 - (a) Bowling Alleys
 - (b) Ice Storage Houses
 - (c) Funeral Homes
 - (d) Veterinary Hospitals
 - (e) Automobile Garages and used Car Sales Area, except as part of a new automobile sales agency.
 - (f) Dance Halls
 - (g) Kennels
 - (h) Monument Sales
 - (i) Plumbing and Heating Shops
 - (j) Refrigerated Lockers
 - (k) Sign Painting
 - (l) Skating Rinks
 - (m) Storage Garages
 - (n) Trade Schools
 - (o) Upholstery and Furniture Repair Shops
- 2) The development shall not exceed 730,245 of gross floor area. (Tract A to have 537,081 sf retail and 1,738 non-retail; Tract B to have 36,040 sf retail; Tract B1 to have 8,400 sf restaurant; Tract B2 to have 5,450 sf restaurant/bank; and Tract D to have 17,300 sf office. The remaining square footage is taken up by outlots.) Prior to the submittal of any detailed plan for tracts A, B and D, an updated traffic study shall be submitted at the direction of Planning and Design staff.
- 3) The only permitted development identification signs shall be located as shown on the approved general district development plan. The primary entrance sign shall not exceed 255 square feet in area per side and 40 feet in height. The secondary entrance signs (2) shall not exceed 71 square feet in area per side and 10 feet in height. No sign shall have more than two sides.
- 4) The size and location of any proposed freestanding sign must be approved by the Planning Commission and the City of Middletown. The Planning Commission or the City of Middletown may require that the signs be smaller than would otherwise be permitted by the Zoning District regulations.
- 5) There shall be no direct vehicular access from outlots to Shelbyville Road.
- 6) There shall be no further creation of outlots along Shelbyville Road. Outlots are subject to all original binding elements.
- 7) 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 Middletown for review and approval; any changes/additions/alterations not so referred shall not be valid.
- 8) No outdoor advertising signs, small freestanding signs, pennants, balloons, or banners shall be permitted on the site.
- 9) 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 appropriate variances shall be obtained from the Board of Zoning Adjustment to allow the development as shown on the approved district development plan.
 - c. 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.
 - d. A reciprocal access and crossover easement agreement in a form acceptable to the Planning Commission legal counsel shall be created between the adjoining property owners and recorded. A copy of the recorded instrument shall be submitted to the Division of Planning and Design Services; transmittal of approved plans to the office responsible for permit issuance will occur only after receipt of said instrument.
- 10) 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.
- 11) There shall be no outdoor music (live, piped, radio or amplified) or outdoor entertainment or outdoor PA system audible beyond the property line.
- 12) 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.
- 13) The materials and design of proposed structures shall be substantially the same as depicted in the rendering as presented at the November 29, 2006 Development Review Committee meeting.
- 14) No idling of trucks shall take place within 200 feet of single-family residences. No overnight idling of trucks shall be permitted on-site.
- 15) At the time a building permit is requested, the applicant shall submit a certification statement to the permit issuing agency, from an engineer, or other qualified professional stating that the lighting of the proposed development is in compliance with Chapter 4 Part 1.3 of the land development code and shall be maintained there after. No building permits shall be issued unless such certification statement is submitted. Lighting shall be maintained on the property in accordance with Chapter 4 Part 1.3 of the land development code.

NOTICE

PERMITS SHALL BE ISSUED ONLY IN COMPLIANCE WITH THE GENERAL PLAN