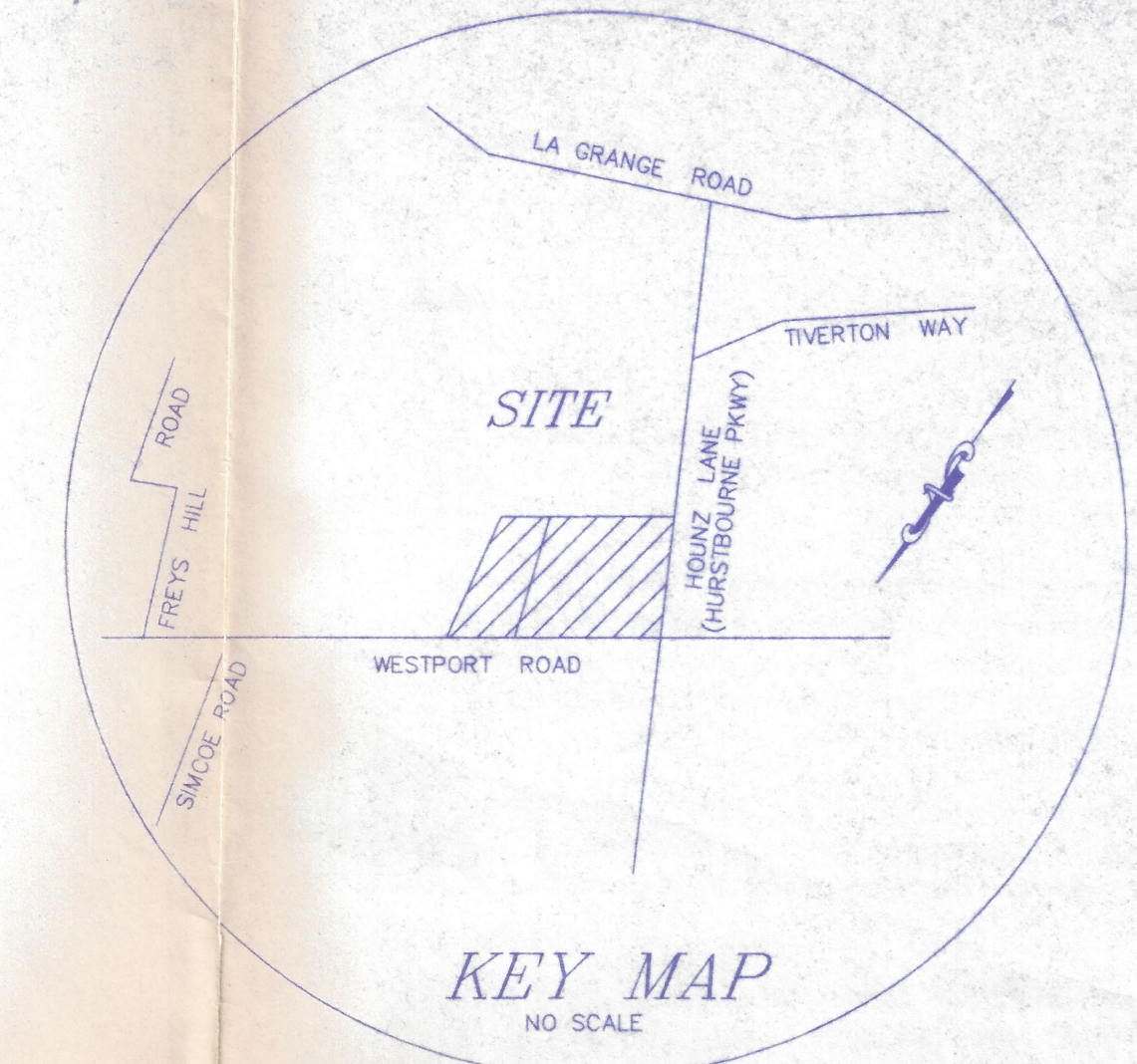
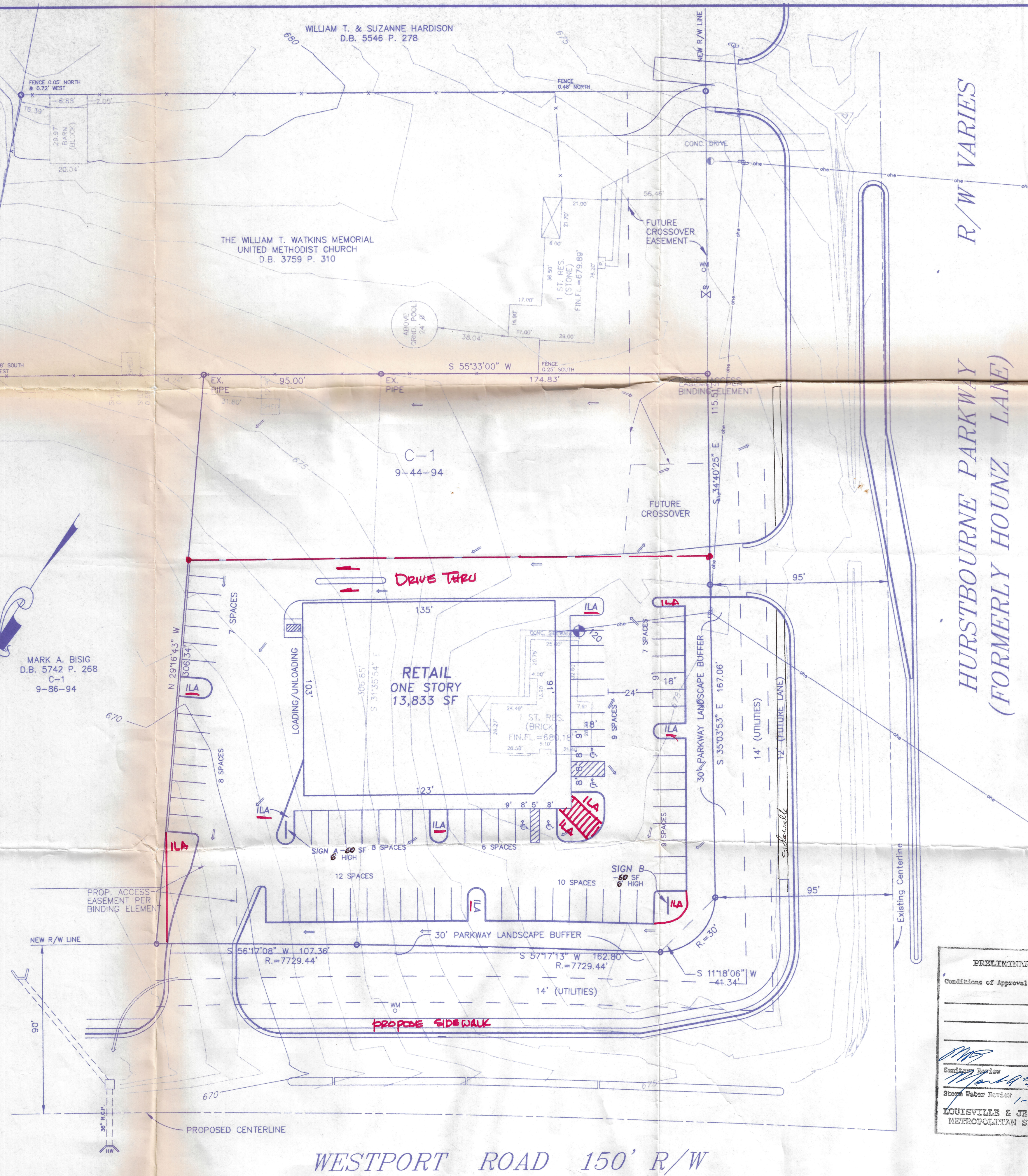


NOTICE
PERMITS SHALL BE ISSUED
ONLY IN CONFORMANCE
WITH THE BINDING ELEMENTS
OF THIS DISTRICT
DEVELOPMENT PLAN

JEFFERSON COUNTY
**APPROVED DISTRICT
DEVELOPMENT PLAN**
DOCKET NO. 9-44-94
APPROVAL DATE Jan. 23, 1997
EXPIRATION DATE Jan. 23, 1998
SIGNATURE OF PLANNING COMMISSION
Chris French
PLANNING COMMISSION



**PRELIMINARY APPROVAL
DEVELOPMENT PLAN**
SHALL COMPLY WITH ORDINANCE #28
CONDITIONS: *See Note*
BY: *J. D. Thompson*
DATE: 1-14-97
JEFFERSON COUNTY
DEPT. OF PUBLIC WORKS

PARKING SCHEDULE

PARKING REQUIRED: 13,833 S.F. x 1SP/200 S.F. = 69 SPACES
PROPOSED PARKING = 77 SPACES
V.U.A. = 34,818 SF
I.L.A. REDD = 1744 SF
I.L.A. PROPOSED = 1825 SF
LEASE AREA = 1.381 ac. (60,139.6 S.F.)

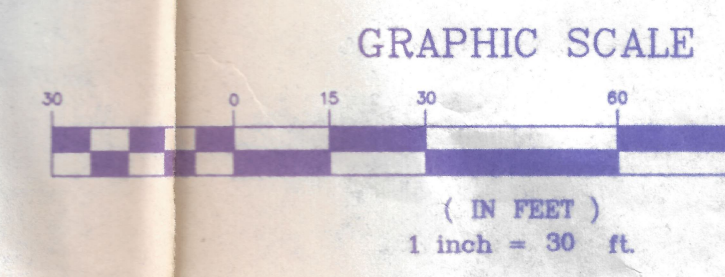
LEGEND

- = IRON PIN AND CAP SET UNLESS OTHERWISE NOTED
- ⊗ = GAS VALVE
- WM = WATER METER
- ⊕ = FIRE HYDRANT
- ⊙ = UTILITY POLE
- = GUY WIRE
- = OVERHEAD ELECTRIC LINE
- x— = EX. FENCE
- ⊕ = BENCHMARK - SET CHISELED SQUARE ON SIDEWALK. ELEVATION = 678.52'
- ILA = INTERIOR LANDSCAPE AREA
- LBA = LANDSCAPE BUFFER AREA

NOTES

1. KDC APPROVAL IS REQUIRED FOR DRAINAGE TO BOTH HURSTBOURN PARKWAY AND WESTPORT ROAD, PRIOR TO CONSTRUCTION PLAN APPROVAL.
2. SITE IS SUBJECT TO REGIONAL FACILITIES FEE FOR UNDETAINED DRAINAGE. DOWNSTREAM ANALYSIS MAY BE REQUIRED.
3. ALL EXISTING STRUCTURES TO BE REMOVED.
4. ALL LIGHTING SHALL BE DIRECTED DOWN AND AWAY FROM ADJACENT RESIDENTIAL PROPERTIES.
5. SANITARY SEWERS AVAILABLE TO SITE BY L.E. CONTRACT.

PRELIMINARY APPROVAL
Conditions of Approval: *See Note*
MRS. Thompson
Sanitary Review *1-14-97*
Storm Water Review *1-14-97*
LOUISVILLE & JEFFERSON COUNTY
METROPOLITAN SENIOR DISTRICT



RECEIVED
JAN 14 1997
PLANNING &
DEVELOPMENT SERVICES

design INC.
ENGINEERING
10003 Taylorsville Road
Louisville, KY 40299
PHONE: (502) 267-9007 FAX: (502) 267-1064

REV. DISTRICT DEVELOPMENT PLAN
JAMES D. THALER
9702 WESTPORT ROAD
LOUISVILLE, KENTUCKY 40241
D.B. 4440 P. 191, D.B. 5875 P. 196 TAX BLOCK 13, LOTS 36, 125, 129

REVISIONS	
DATE: 10-19-96	BY: CLE
DRAWN BY: CLE	CHECKED BY: W.R.H.
SCALE: 1"=30' (HORIZ)	SCALE: N/A. (VERT)

JOB NUMBER
701-05

SHEET
1

OF
1

70105DDP.DWG

9-44-94

DOCKET No. 9-44-94 (Jefferson County)

Project: Walgreens
Location: Southeast corner of Westport Road and Hurstbourne Parkway
Applicant: James Thaler
Request: Revised District Development Plan.
Staff Case Manager: Erin Donovan, Planner I.

RESOLVED, That the Land Development and Transportation Committee does hereby **APPROVE** the Revised District Development Plan for Docket No. 9-44-94, subject to the following binding elements:

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. No further development shall occur without prior approval from the Planning Commission, except for land uses permitted in the established zoning district.
2. There shall be no restaurant or other uses requiring a parking ratio greater than one space per 200 square feet of floor area permitted on the drug store lot unless parking can meet the requirement of the proposed use.
3. The development shall not exceed 13,840 square feet of gross floor area for retail, 650 square feet of gross floor area for restaurant and 580 square feet of gross floor area for outdoor eating.
4. The only permitted free-standing signs shall be located as shown on the approved district development plan. The signs shall not exceed the following:
 - a) Sign A: 60 square feet monument style
 - b) Sign B: 60 square feet monument style
 - c) Sign C: 90 square feet in area, 15 feet tall
5. No outdoor advertising signs (billboards), small free-standing (temporary) signs, pennants or banners shall be permitted on the site.
6. There shall be no outdoor storage on the site.
7. The existing curb cut on Westport Road closest to Hurstbourne Parkway, shall be removed prior to requesting a certificate of occupancy.
8. Outdoor lighting shall be directed down and away from surrounding residential properties. Lighting fixtures shall have a 90 degree cutoff so that no light source is visible off-site. Lighting levels attributable to the

fixtures located on the subject site shall not exceed two foot candles at the property line.

9. If the adjacent parcels to the south and east are ever developed for non-residential uses, the owner shall grant an easement of ingress and egress to, and from the owner's entrances and over necessary access way for the purpose of ingress and egress to the applicable properties; providing corresponding easements are conveyed by the adjoining property owner. The instrument shall be signed and recorded, and a copy shall be submitted the Planning Commission counsel.
10. The hours of operation for the fast food restaurant shall be limited to between 10:00 A.M. and 12:00 A.M..
11. 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 Jefferson County Department of Public Works and Transportation (400 Fiscal Court Building) and the Metropolitan Sewer District (700 West Liberty).
 - b. Encroachment permits must be obtained from the Kentucky Department of Transportation, Bureau of Highways.
 - c. The property owner/developer must obtain approval of a detailed plan for screening (buffering/landscaping) as described in Article 12 and the Parkway Policies (November 5, 1992) for the entire parkway buffer area located on the subject site and in the Hurstbourne Parkway right-of-way. Such plan shall be implemented prior to requesting a certificate of occupancy and maintained thereafter.
 - d. A minor plat or legal instrument shall be recorded consolidating the property, in which the drug store will be located. A copy of the recorded instrument shall be submitted to the Division of Planning and Development Services; transmittal of the approved plans to the office responsible for permit issuance will occur only after receipt of said instrument.
 - e. An access and crossover easement agreement shall be executed to guarantee shared access, between the drug store and fast food restaurant, as shown on the general district development plan. A copy of the recorded instrument in a form acceptable to the Planning Commission legal counsel shall be submitted to the Division of Planning and Development Services; transmittal of approved plans to the office responsible for permit issuance will occur only after receipt of said instrument.

12. The owner agrees to execute and submit the Landscape Maintenance Agreement to the Office for Economic Development and to coordinate with the Office for Economic Development, Jefferson County, and the Planning Commission with respect to the design and implementation of that portion of the Hurstbourne Landscape Project landscaping located on owner's property.
13. The outdoor speakers for the fast food restaurant shall not be audible beyond a distance of 60 feet.
14. Prior to any additional grading or construction activity, the applicant shall submit a plan for review by the Staff Landscape Architect to protect the large oak trees situated near the southwest corner of the property and other trees located on the site. The plan shall indicate the location of construction fencing to prevent compaction of root systems and shall be implemented prior to initiation of any site disturbing activities.
15. Prior to request a certificate of occupancy, sidewalks shall be constructed on Hurstbourne Parkway for the length of the property frontage, subject to approval of the Jefferson County Department of Public Works and Transportation.
16. There shall be no alcoholic beverages sold on the site.
17. 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.
18. A certificate of occupancy must be received from the appropriate code enforcement office 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.
19. The property owner/developer shall provide copies of these binding elements to tenants, contractors and other parties engaged in development of this project, and shall inform them of the content of these binding elements. Further, the property owner/developer shall require contractors to similarly notify all of their sub-contractors whose duties relate to the binding elements. The property owner/developer shall ensure their compliance with the binding elements.