

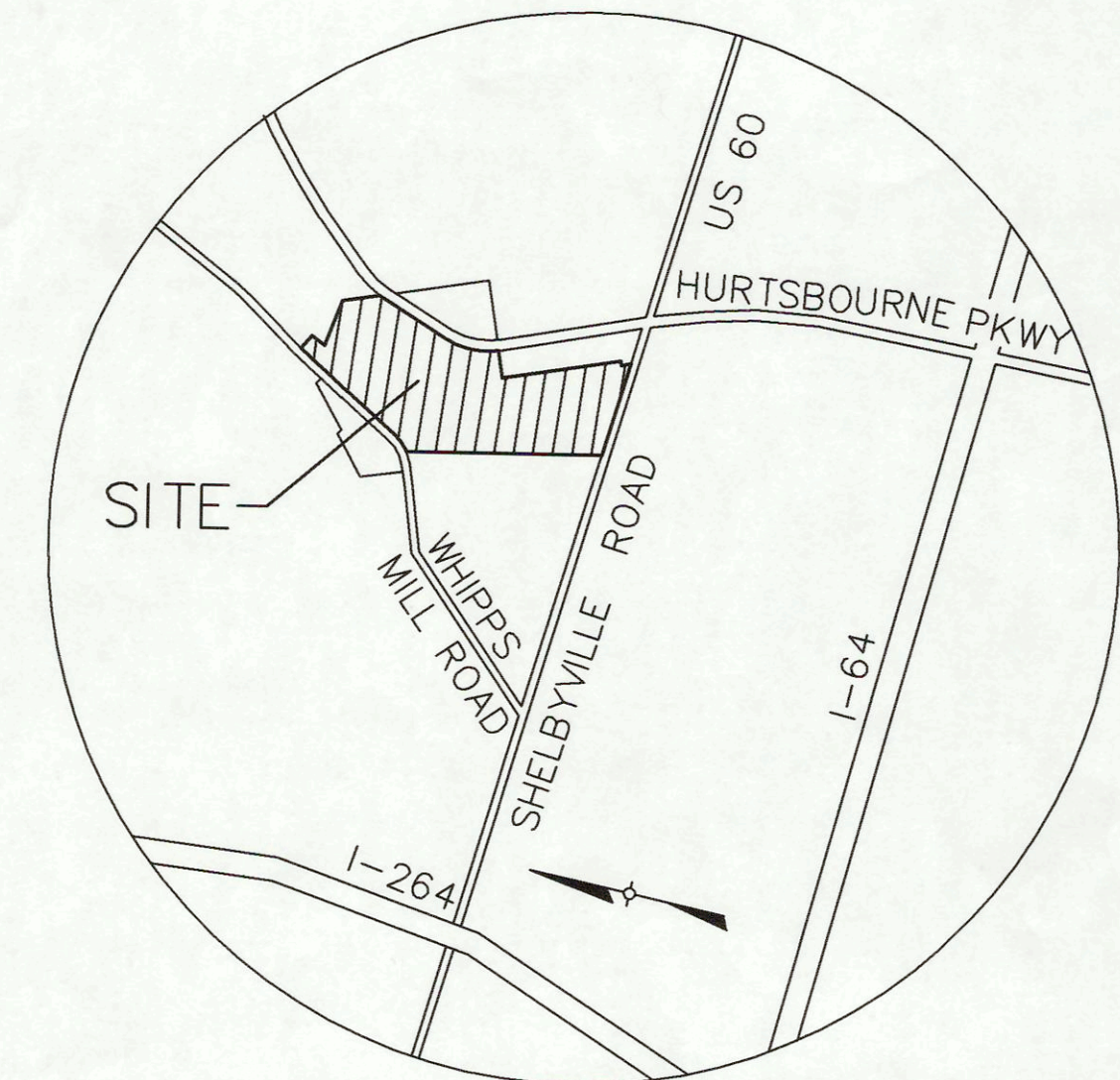
# PRELIMINARY APPROVAL DEVELOPMENT PLAN

CONDITIONS:  
BY: *Scott Marx*  
DATE: 09/22/10  
LOUISVILLE/JEFFERSON COUNTY  
METRO PUBLIC WORKS

PRELIMINARY APPROVAL  
Condition of Approval:  
*9/22/10*  
Development Review Date  
LOUISVILLE & JEFFERSON COUNTY  
METROPOLITAN SEWER DISTRICT

## SITE DATA

EX. ZONE	R-4
EX. FORM DISTRICT	CAMPUS
EX. USE	COLLEGE/ INSTITUTIONAL
PROP. ZONE	OR-3
PROP. FORM DISTRICT	CAMPUS
PROP. USE	COLLEGE/ INSTITUTIONAL
SITE AREA	189.6 ACS
AREA IN ROADWAY EASEMENT	16.2 ACS
NET SITE AREA	173.4 ACS



LOCATION MAP  
NO SCALE

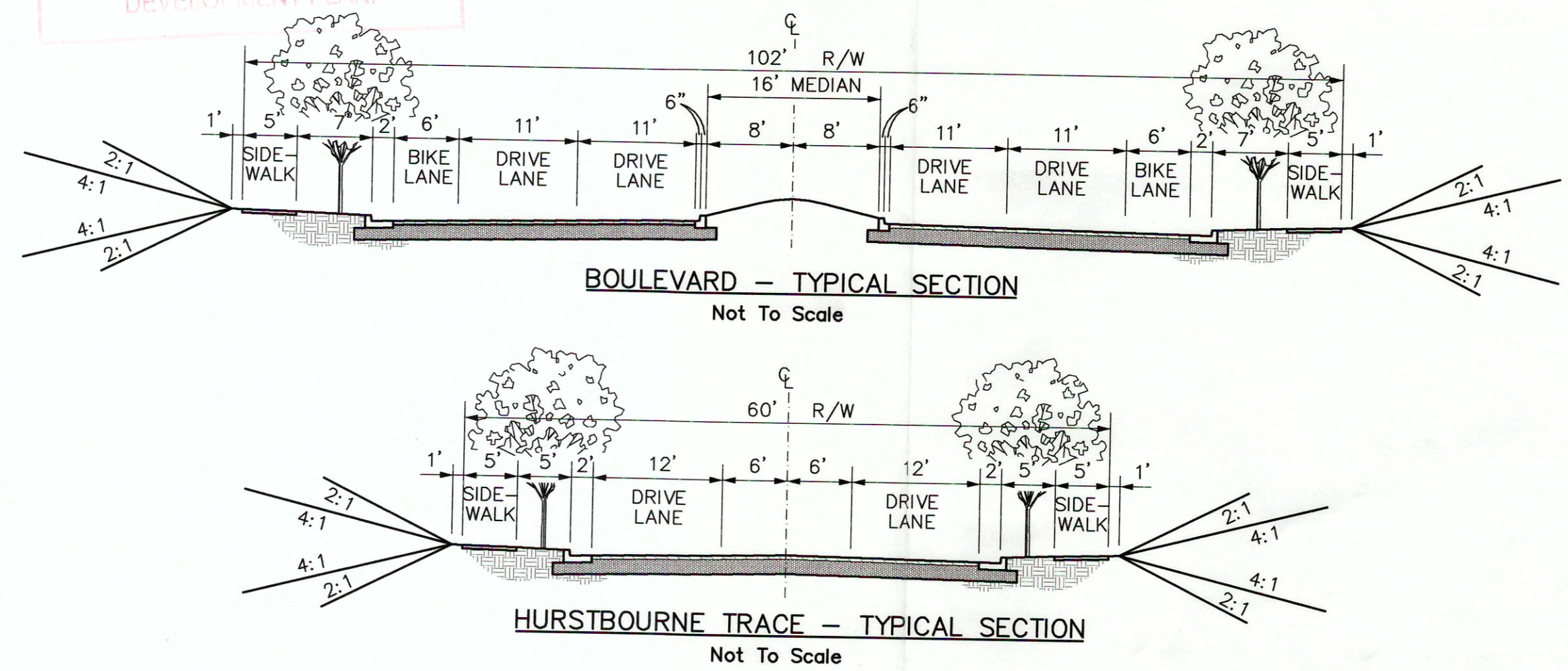
## LEGEND

- EXISTING STORM SEWER
- EXISTING SANITARY SEWER
- FLOW ARROWS
- EXISTING TREES
- CLOSED DEPRESSION
- FORM DISTRICT
- ZONING
- BELLEMEADE PROTECTION AREA
- FORM DISTRICT TRANSITION
- FORM DISTRICT BOUNDARY
- ZONING BOUNDARY

- Notes:
1. Wastewater: Sanitary sewer mains have been approved and constructed under MSD Lateral Contract No. 201384. The site is presently served by the Morris Forman Wastewater Treatment Plant. Capacity charges have been deferred until construction plan stage for each building site.
  2. The storm water retention basin constructed on Whipp's Mill Road has been sized for the fully developed site condition. Storm water detention has been sized to accommodate the 100-year storm and provides 1,052,500 cubic feet of storage. No detention is necessary on each building site. Approximately 15 acres of the subject property drains to the existing Whipp's Mill Regional Basin.
  3. The development lies within the Middletown/Anchorage Fire Protection District.
  4. A portion of the subject property lies within the flood hazard area per FEMA's FIRM Mapping (Map No. 21111c0031E) for the Middle Fork of Beargrass Creek.
  5. Future building parcels to be created by minor subdivision plat.
  6. Waterways and wetlands shall comply with buffer areas required by the Land Development Code.
  7. Cemeteries shall be protected in accordance with the Land Development Code.
  8. When requested by Louisville Metro Works Department, right of way addition to Whipp's Mill Road, KY 1747 (Hurtsbourne Parkway) & US 60 (Shelbyville Road) is required in a timely manner. Such action must be approved by the state legislature as required by law.

LOUISVILLE METRO  
APPROVED DISTRICT  
DEVELOPMENT PLAN  
DOCKET NO. 13644  
APPROVAL DATE 3/25/10  
EXPIRATION DATE 3/25/14  
SIGNATURE OF PLANNING COMMISSION  
*9/22/10*  
PLANNING COMMISSION

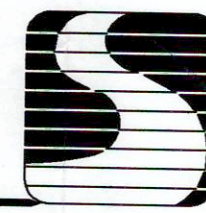
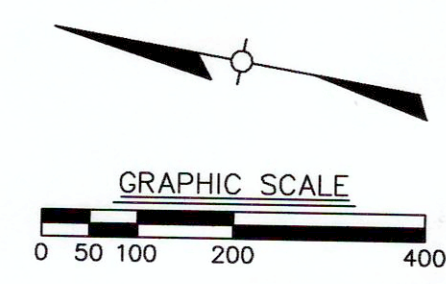
**NOTICE**  
PERMITS SHALL BE ISSUED  
ONLY IN CONFORMANCE  
WITH THE BINDING ELEMENTS  
OF THIS DISTRICT  
DEVELOPMENT PLAN.



**KARST SURVEY:**  
A site visit to review the closed depressions (karst features) was performed in July 2008 by Mark Schuhmann and Josh English of ATC Associates, Inc. The findings can be found in their Report of Karst Feature Survey dated August 7, 2008.

## BENCH MARKS (NAVD 1988)

- VERTICAL CONTROL FOR THIS PROJECT IS BASED ON MSD CONTROL MONUMENTS GPS 86-40 & AZ18640-2001.
- BM - "1" SET RR SPIKE IN WEST SIDE UTILITY POLE (#47694-87951), 1.5' ABOVE GROUND, 880± N. OF N. EDGE EDGE PAVEMENT US60 (MEASURED ALONG EAST PROPERTY LINE). ELEV. 633.32
  - BM - "3" SET RR SPIKE IN E. SIDE OF UTILITY POLE (#47492-88216), 0.3' ABOVE GROUND, 14' S. OF S. CURB LINE OF WHIPPS MILL ROAD, 8' W. OF W. PROPERTY LINE. ELEV. 602.91
  - BM - "5" SET RR SPIKE IN E. SIDE OF UTILITY POLE, 1' ABOVE GROUND, 48' E. OF W. PROPERTY LINE, 450± N. OF N. EDGE OF PAVEMENT US60. ELEV. 620.30



**SABAK, WILSON & LINGO, INC.**  
ENGINEERS, LANDSCAPE ARCHITECTS & PLANNERS  
315 WEST MARKET STREET, LOUISVILLE, KENTUCKY 40202 (502) 584-6271

Scale: 1"=200'  
Date: 12/18/09  
Rev. 01/11/10  
Rev. 02/03/10

PROJECT NO. 13644  
UNIVERSITY OF LOUISVILLE  
**SHELBYHURST**  
RESEARCH & OFFICE PARK  
DEVELOPMENT PLAN  
TAX BLOCK 21, LOT 590  
DEED BOOK 4313, PAGE 80  
950 N HURTSBOURNE PARKWAY & 100, 310 &  
312 N. WHITTINGTON PARKWAY  
LOUISVILLE, KENTUCKY  
OWNER  
UNIVERSITY OF LOUISVILLE  
102 GRAWMEYER HALL  
LOUISVILLE, KENTUCKY 40292



BINDING ELEMENTS

CASE NO. 13644  
UNIVERSITY OF LOUISVILLE SHELBYHURST RESEARCH AND OFFICE PARK

- Prior to development (including clearing and grading) of each site or phase of this project, the applicant, developer, or property owner shall obtain approval of a Detailed District Development Plan in accordance with Chapter 11, Part 6. Each plan shall be in adequate detail and subject to additional binding elements. Notice of all Detailed District Development Plans, Revised Detailed District Development Plans, Amendment to General Plan Binding Elements, Amendment to Detailed Plan Binding Elements, Conditional Use Permits, Waivers, and Variances shall be sent at least 45 days prior to a hearing by the Planning Commission, Board of Zoning Adjustment, or Committee thereof, except for Revised Detailed District Development Plans and Amendment to Detailed Plan Binding Elements that meet the criteria for approval by the Planning Director. This notice requirement shall include notice to the mayor of the City of Bellemeade.  
*Amended by Metro Council, Ordinance No. 63, Series 2010*
- 120-foot perimeter Landscape Buffer Area.** A 120 foot Landscape Buffer Area shall be provided along the west property line abutting properties within the city of Bellemeade, as shown on the General District Development Plan.
  - The 120-foot perimeter landscape buffer area within the Bellemeade Protection Area [see Bellemeade Protection Area Exhibit] shall consist of (i) a minimum of 10.7 trees per 100 linear feet (a minimum of 353 planted trees) and a 6-foot high landscaped/irrigated berm, and (ii) the preservation of the existing mature tree canopy except to the extent trees are dead, diseased or hazardous.
  - The 120-foot perimeter landscape buffer area shall be maintained by the University of Louisville Foundation, Inc., its successor in interest or designee.
  - If agreed upon by the owner of Subject Property and the city of Bellemeade, a pedestrian and bicycle passageway may be cut through the 120-foot perimeter landscape buffer area referred to in (a) for access directly to the city of Bellemeade at Charing Cross Road.
- Building height maximum.** (a) Except as provided for in (b) hereof and excluding walk-out basements or underground parking, no building on Subject Property shall exceed five (5) floors or ninety (90) feet in height.
  - No portion of any building within the Bellemeade Protection Area shall exceed three (3) stories or forty-five (45') feet in height.
  - Building height shall be determined pursuant to the Land Development Code.
- Sidewalks along Shelbyville Road frontage.** A sidewalk shall be constructed along the Shelbyville Road frontage within eighteen months of approval of the change in zoning by the Louisville Metro Council. The sidewalk shall be planned and located in conjunction with the Kentucky Transportation Cabinet and Metro Public Works and shall be designed to accommodate the future expansion of Shelbyville Road.  
*Amended by Metro Council, Ordinance No. 63, Series 2010*
- Residential limitation.** Except for university housing, no two-family or multi-family residential uses shall be permitted on the Subject Property.
- Limitation of external construction hours in Bellemeade Protection Area.** No external building construction within the Bellemeade Protection Area shall be conducted during the hours of 9 PM – 7 AM Monday through Saturday, Sunday construction hours shall be limited to 10 AM – 4 PM.
- Within the Bellemeade Protection Area, and except for (i) emergency fire alarms or activation of other safety alarms, and (ii) occasional cultural or musical events, no outdoor public address systems shall be permitted.
- Rooftop mechanical equipment.** Rooftop mechanical equipment located in the Bellemeade Protection Area shall be screened from properties within the city of Bellemeade abutting the Subject Site.
- Ground-based mechanical equipment and building trash receptacles.** All ground-based mechanical equipment and building trash receptacles (excluding temporary construction waste receptacles) within the Bellemeade Protection Area shall be shielded or hidden from view from properties in the city of Bellemeade that abut the Subject Property.

1

- Stormwater runoff.** Stormwater runoff exiting the Subject Property and entering the city of Bellemeade shall not exceed stormwater runoff volumes entering the city of Bellemeade from the Subject Property existing as of July 1, 2010.
- Lighting limitation.** (a) Within the Bellemeade Protection Area, permanent parking lot lighting and permanent building-mounted lighting designed to illuminate the ground and parking lot areas, whether freestanding or attached, shall be fully shielded, shall utilize flat or hidden lenses, and shall be pointed directly to the ground or otherwise down and away from the city of Bellemeade.
  - Except for sites fronting on Shelbyville Road, lighted attached building signage within the Bellemeade Protection Area shall not be visible from the city of Bellemeade.
- Freestanding sign limitation.** Except for development identification signs, leasing signs, wayfinding signs, construction-related signs, traffic-related signs or directional signs, freestanding signs on the Subject Property shall be monument-style.
- Traffic and Air Quality.** The proposed development shall occur in phases. The first phase shall consist of approximately 300,000 square feet generally along the eastern boundary of the property adjacent to Hurstbourne Parkway (KY 1747), Weakley Way and Porter Place, north of the existing commercial development and south of the newly constructed Center of Predictive Medicine ("Phase 1"). Phase 1 shall occur on approximately 20 acres of the property and has a forecasted build-out date of 2016. The Traffic Impact Study dated February 2, 2010 and the Air Quality Analysis dated February 2, 2010, both prepared by QK4 Engineers, relate to Phase 1. Prior to or at the time of the submittal of a development plan for any subsequent phase of the development, an updated trip generation, traffic impact study and air quality analysis, or additional analysis if warranted by change in development character, shall be provided in accordance with Metro Public Works (MPW) and Kentucky Transportation Cabinet and Air Pollution Control District requirements. The development plan for any subsequent phase may be denied on the basis of an updated analysis provided as required by this binding element which reveals an increased, unacceptable level of service at any analyzed intersection, including, where required by MPW, the intersection of Shelbyville Road and Hurstbourne Parkway, without reasonable, appropriate and feasible mitigation measures designed to offset traffic impacts as determined by MPW and the Kentucky Transportation Cabinet, which measures shall be implemented prior to completion of the proposed development as shown on the development plan.  
*Amended by Metro Council, Ordinance No. 63, Series 2010*
- 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.
- A sidewalk along Whippis Mill Road from Whittington Parkway west to the extent the subject site has frontage on Whippis Mill Road shall be constructed within one year of approval of the change in zoning by the Louisville Metro Council.
- No garbage or recyclables collection services and no parking lot sweeping or cleaning (except snow and ice removal) shall be conducted between the hours of 10 PM and 7 AM within the Bellemeade Protection Area.  
*Added by Metro Council, Ordinance No. 63, Series 2010*
- If amendments to these general plan binding elements are requested or a detailed plan is presented proposing a use of the subject property that differs from the uses presented at the February 4, 2010 Planning Commission public hearing (which included research, office and an academic core), the application shall receive final approval by the Metro Council based on a recommendation of the Planning Commission or a committee thereof after a duly-noticed public meeting as required pursuant to all applicable laws and regulations. This binding element shall not require Metro Council approval of a detailed plan proposing an accessory use that is different from the mix of uses presented at the February 4, 2010 Planning Commission public hearing.  
*Added by Metro Council, Ordinance No. 63, Series 2010*

2

