

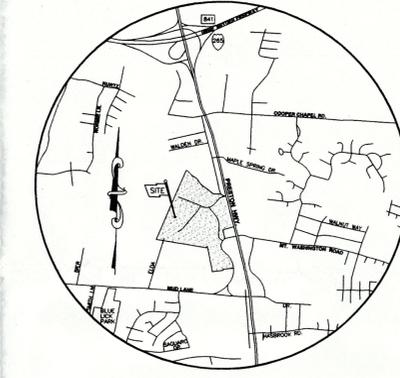
NOTICE

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

CHARLES C. & BERTHA L. ARMENTA D.B. 5090, PG. 25
JERRY F. & DEADRA D. ORM D.B. 7012, PG. 872
GREIF BROTHERS CORP. D.B. 7264, PG. 545

JEFFERSON COUNTY APPROVED DISTRICT DEVELOPMENT PLAN
DOCKET NO. 9-25-99-105-89
APPROVAL DATE: 6/14/01
EXPIRATION DATE: 6/14/02
SIGNATURE OF PLANNING COMMISSION

JEFFERSON COUNTY PRELIMINARY PLAN APPROVED
CHECKED BY: [Signature]
APPROVAL DATE: 6/14/01
EXPIRATION DATE: 6/14/02
PLANNING COMMISSION



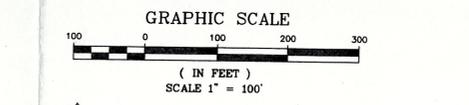
VICINITY MAP N.T.S.

GENERAL NOTES:

- 1. TOPOGRAPHICAL INFORMATION SHOWN IS PROVIDED BY LOJC. TOPOGRAPHICAL INFORMATION FOR DESIGN PROVIDED BY DALY & ASSOCIATES ENGINEERS, INC.
- 2. THE PROPERTY IS LOCATED IN TAX BLOCK 2759, LOT 9; TAX BLOCK 85, LOT 48; TAX BLOCK 90, LOT 10; TAX BLOCK 85, LOTS 433 AND 434.
- 3. ALL SITE LIGHTING WILL BE DIRECTED DOWN AND AWAY FROM ADJOINING RESIDENCES.
- 4. THE CEMETERY SHALL BE RELOCATED & ALL ACCESS EASEMENTS SHALL BE RELEASED.
- 5. SITE IS SUBJECT TO KY DEPT. OF HIGHWAYS APPROVAL. KY DEPT. OF HIGHWAYS APPROVAL REQUIRED FOR ACCESS TO OLD PRESTON OR PRESTON HIGHWAY.
- 6. SITE IS SUBJECT TO MSD REGIONAL FACILITY FEE.
- 7. SANITARY SEWERS AVAILABLE BY LATERAL EXTENSION AND ARE SUBJECT TO FEES.
- 8. ANY CONSTRUCTION ALONG FISHPOOL CREEK SHALL BE IN COMPLIANCE WITH THE FLOODPLAIN ORDINANCE. A PRESERVATION EASEMENT/ NATURAL VEGETATION BUFFER SHALL BE PROVIDED ALONG THE BANKS OF FISHPOOL CREEK AS SHOWN.
- 9. BKE RACKS SHALL BE PROVIDED THROUGHOUT THE DEVELOPMENT IN COMPLIANCE WITH THE ALTERNATIVE TRANSPORTATION MODE (ATM) POLICY.
- 10. THIS PROPERTY IS LOCATED IN ZONE "R" AND ZONE "M" AS SHOWN ON THE COMMUNITY PANEL #21111 C0202 D OF THE FLOOD INSURANCE RATE MAP, DATED 02 FEBRUARY 1994. PORTIONS OF THIS PROPERTY, ALONG FISHPOOL CREEK, ARE SUBJECT TO 100 YEAR FLOODING. A DRAINAGE EASEMENT SHALL BE GRANTED ALONG FISHPOOL CREEK AS REQUIRED BY MSD.
- 11. CONSTRUCTION FENCING SHALL BE ERRECTED AT THE EDGE OF THE AREA OF DEVELOPMENT PRIOR TO ANY GRADING OR CONSTRUCTION TO PROTECT THE EXISTING TREE STANDS AND THEIR ROOT SYSTEMS FROM COMPACTING. 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.
- 12. NO ON SITE STORMWATER DETENTION TO BE PROVIDED. DETENTION VOLUME AS REQUIRED WILL BE OBTAINED OFFSITE.
- 13. SIDEWALK WAYVARS ARE REQUESTED FOR THE WEST SIDE OF SOUTHPOINT DRIVE, THE NORTH SIDE OF INTERCHANGE DRIVE, AND THE EAST SIDE OF ANTONIA WAY.
- 14. 30' RIGHT-OF-WAY DEDICATED TO ELDA DRIVE ON TRACT 29 TO BE RELEASED.
- 15. 4' LANDSCAPE EASEMENT (DB 6355, PG. 616) TO BE REMOVED FROM TRACT 1 AND LOTS 10 AND 11 AND REPLACED WITH A 4' LBA EXCEPT ACROSS ANTONIA WAY.
- 16. VARIANCE GRANTED PER GENERAL DISTRICT DEVELOPMENT PLAN, DOCKET #9-25-99, FOR 15' SETBACKS WHERE PEC ABUTS RESIDENTIALLY ZONED PROPERTY.
- 17. THIS SITE SUBJECT TO THE BINDING ELEMENTS OF DOCKET #9-25-99.
- 18. SIGNAGE FOR THIS DEVELOPMENT SHALL BE CONSISTENT WITH THAT APPROVED FOR THE EXISTING SOUTHGATE AND AS FOLLOWS:

(4) PROJECT IDENTIFICATION SIGNS	MAX. HEIGHT	MAX. AREA (EACH)
(1) SHOPPING CENTER IDENTIFICATION SIGNS	6'	32 S.F.
(2) SHOPPING CENTER IDENTIFICATION SIGNS	30'	144 S.F.
(3) FREESTANDING OUTLOT IDENTIFICATION SIGNS	25'	64 S.F.
(4) BUSINESS SIGNS FOR EACH TRACT, AS DENOTED ON EACH DETAILED DISTRICT DEVELOPMENT PLAN, SHALL NOT EXCEED 18 FEET IN HEIGHT AND 64 SQUARE FEET IN AREA.		
(5) ARROWS INDICATE DIRECTION OF STORM WATER FLOW FOR SCHEMATIC PURPOSES ONLY.		
(6) DETAILED DRAINAGE PLAN WILL BE SUBMITTED TO MSD FOR FINAL APPROVAL PRIOR TO CONSTRUCTION.		
(7) DRAINAGE DISSIPATORS FOR PROPOSED HEADWALLS SHALL BE DETERMINED AT CONSTRUCTION PHASE TO INSURE SHEET FLOW FOR OFFSET DRAINAGE.		
(8) NORTHBOUND LEFT TURN LANES FOR ANTLI, MID LANE AND PROPOSED ROAD "A" (INTERCHANGE DRIVE) WILL BE LENGTHENED PER KY DEPT. OF HIGHWAYS STANDARDS.		
(9) SLOPES WITHIN AND ADJACENT TO THE WOODLAND PROTECTION AREA AND THE NORTHERN PORTIONS OF OUTLOTS 5 AND 6 EXCEED 20 PERCENT.		

OWNER	DEVELOPMENT	DESCRIPTION	ZONE/USE	AREA
SOUTHGATE ASSOCIATES	SOUTHGATE I	OUTLOT 1	C-2	0.86
SOUTHGATE ASSOCIATES	SOUTHGATE I	OUTLOT 2	C-2	0.63
SOUTHGATE ASSOCIATES	SOUTHGATE I	OUTLOT 3	C-2	0.81
SOUTHGATE ASSOCIATES	SOUTHGATE I	OUTLOT 4	C-2	0.90
SOUTHGATE ASSOCIATES/FDR, LLC	SOUTHGATE I/II	OUTLOT 5	C-2	1.70
SOUTHGATE ASSOCIATES/FDR, LLC	SOUTHGATE I/II	OUTLOT 6	C-2	2.14
SOUTHGATE ASSOCIATES/FDR, LLC	SOUTHGATE I/II	OUTLOT 7	C-2	0.86
SOUTHGATE ASSOCIATES/FDR, LLC	SOUTHGATE I/II	LOT 1	C-2	25.33
FDR, LLC	SOUTHGATE II	LOT 15	C-2	25.33
FDR, LLC	SOUTHGATE II	TRACT 9	A.E.	1.25
FDR, LLC	SOUTHGATE II	OUTLOT 8	C-2	.98
FDR, LLC	SOUTHGATE II	OUTLOT 9	C-2	0.90
GALT-MARSH PROPERTIES SOUTHPOINT, LLC	SOUTHPOINT	TRACT 12	A.E.	1.25
GALT-MARSH PROPERTIES SOUTHPOINT, LLC	SOUTHPOINT	LOT 14	PEC	2.79
GALT-MARSH PROPERTIES SOUTHPOINT, LLC	SOUTHPOINT	LOT 13	PEC	3.45
GALT-MARSH PROPERTIES SOUTHPOINT, LLC	SOUTHPOINT	LOT 12	PEC	3.92
GALT-MARSH PROPERTIES SOUTHPOINT, LLC	SOUTHPOINT	LOT 10	PEC	2.61
GALT-MARSH PROPERTIES SOUTHPOINT, LLC	SOUTHPOINT	LOT 9	PEC	1.61
GALT-MARSH PROPERTIES SOUTHPOINT, LLC	SOUTHPOINT	LOT 8	PEC	1.57
GALT-MARSH PROPERTIES SOUTHPOINT, LLC	SOUTHPOINT	LOT 7	PEC	1.01
GALT-MARSH PROPERTIES SOUTHPOINT, LLC	SOUTHPOINT	LOT 6	PEC	2.19
GALT-MARSH PROPERTIES SOUTHPOINT, LLC	SOUTHPOINT	LOT 5	PEC	5.04
GALT-MARSH PROPERTIES SOUTHPOINT, LLC	SOUTHPOINT	LOT 4	PEC	6.60
GALT-MARSH PROPERTIES SOUTHPOINT, LLC	SOUTHPOINT	LOT 3	PEC	6.27



7/19/01-REVISED PER PLANNING COMMISSION COMMENTS DATED JULY 18, 2001
6/28/01-REVISED LOT NUMBERS AND ACRES; ADDED RIGHT OF WAY FOR ANTONIA WAY
6/14/01-REVISED PER PLANNING COMMISSION COMMENTS

- LEGEND**
- E&T ELECTRIC AND TELECOMMUNICATIONS
 - S.S.&D. SANITARY SEWER AND DRAINAGE
 - N.T.S. NOT TO SCALE
 - o PROPERTY CORNER
 - o POINTS FOR EASEMENTS AND CENTER LINES
 - ← DRAINAGE FLOW DIRECTION
 - ♿ HANDICAP RAMP
 - LBA LANDSCAPE BUFFER AREA
 - B/L BUILDING LIMIT
 - ▭ WOODLAND PROTECTION AREA (WPA)
 - EXISTING TREES / TREELINE

PRELIMINARY APPROVAL
Conditions of Approval: *Revisions*
[Signature] 7-31-01
Date
LOUISVILLE & JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT

JEFFERSON COUNTY DEPT. OF PUBLIC WORKS
[Signature] 7-31-01
Date

PRELIMINARY PLAN SOUTHGATE I/II AND SOUTHPOINT
10700 PRESTON HIGHWAY
JEFFERSON COUNTY, KENTUCKY

OWNERS & DEVELOPERS:
GALT-MARSH PROPERTIES SOUTHPOINT, LLC
401 GARDNER POINT DRIVE, SUITE 200
LOUISVILLE, KENTUCKY 40213-1988
PROJECT NUMBER: 0391.01.13107.01
DRAWING FILE NAME: 0391.01.13107.01
SCALE: HORIZONTAL SCALE: 1" = 100'
VERTICAL SCALE: NONE
DATE: MAY 23, 2001
DRAWN BY: MEF
CHECKED BY: RWM

GENERAL PLAN BINDING ELEMENTS

DOCKET NO. 9-25-99 DRC Meeting: May 9, 2007

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.
- 1a. Prior to development of each site or phase of this project, other than Lot 3, the applicant, developer, or property owner shall obtain approval of a detailed district development plan from the Planning Commission. Each plan shall be in adequate detail and subject to additional binding elements. The additional binding elements may relate, but not be limited, to the following items:
 - screening, buffering, landscaping, tree preservation
 - density, floor area, size and height of buildings
 - points of access and site layout with respect to on-site circulation
 - land uses
 - signage
 - loading berths
 - parking
 - sidewalks
 - site design elements relating to alternative transportation modes
 - outdoor lighting
 - minor subdivision plat approval
 - air pollution
 - the timing of construction to coincide with the availability of flood protection measures, municipal sewer and water service, and adequate fire protection
 - dumpsters
2. The commercial (C-1 and C-2) development shall not exceed 312,494 square feet of gross floor area and Lot 3 in the PEC district shall not exceed 87,331 square feet.
3. There shall be no direct vehicular access to Preston Highway from outlots 3, 4, 5 or 6 and there shall be no direct vehicular access from tract 6-A-1 to Elda Drive except for a gated emergency access.
4. There shall be no freestanding signs permitted on site except for the following:

(2) Project identification signs	6 feet high, 32 sq. ft.
(2) Shopping Center identification signs	30 feet high, 144 sq. ft.
Freestanding outlet identification signs	25 feet high, 64 sq. ft.
5. No outdoor advertising signs, small freestanding signs, pennants, balloons, or banners shall be permitted on the site.
6. There shall be no outdoor storage on the site.
7. Outdoor lighting shall be directed down and away from surrounding residential properties. Lighting fixtures shall have a 90 degree cutoff and height of the light standard shall be set so that no light source is visible off-site.
8. 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.
- 8a. The applicant shall identify and submit for approval by designated DPDS staff, a plan showing the location of Tree Preservation Areas and Woodland Protection Areas on site (exclusive of areas dedicated as public right-of-way) prior to beginning any construction procedure (i.e., clearing, grading, demolition). All construction shall be conducted in accordance with the approved Tree Preservation Plan. A partial plan may be submitted to delineate clearing necessary for preliminary site investigation. All Tree Preservation Plans must be prepared in accordance with the standards set forth by DPDS.
9. 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 prior to requesting a building permit. Such plan shall be implemented prior to occupancy of the site and shall be maintained thereafter.
10. If a building permit is not issued within one year of the date of approval of the plan or rezoning, whichever is later, 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.
11. 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.
12. There shall be no outdoor music (live, piped, radio or amplified) or outdoor entertainment or outdoor PA system permitted on the site.
13. 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.
14. A soil erosion and sedimentation control plan shall be developed and implemented in accordance with the Metropolitan Sewer District and the USDA Natural Resources Conservation Service recommendations. Documentation of the MSD's approval of the plan shall be submitted to the Planning Commission prior to commencement of any clearing, grading, or construction activities.
15. 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.
16. The materials and design of proposed structures on Lot 3 shall be substantially the same as presented at the July 15, 1999 Planning Commission meeting.
17. Lot 2 shall be limited to a home and garden center, since the justification for the parking waiver is based on this type of use.
18. Subdivision of Lots may be created using the minor subdivision plat process in conformance with the rules and regulations governing minor subdivisions. A master subdivision plan shall be provided to the Planning Commission showing all current subdivision lots being created and their associated minor subdivision plat docket numbers. This master plan shall be kept current for the entire duration of the development process and shall show any revisions of existing lots, (example: shifting property lines and lot consolidation).
19. All dedicated streets shall be created utilizing the major subdivision record plat process. Such record plat shall be recorded prior to the issuance of a certificate of occupancy for any building on a lot with access to proposed Road A. No more than 5 lots accessible only by a private access easement shall be created until said roadway has been dedicated as a public right-of-way. The intent of this binding element is to assure that all lots have frontage on a dedicated public roadway.
20. The developer, successor or assigns shall lengthen the existing northbound left turn lanes at the following locations to meet AASHTO design standards as approved by the Kentucky Department of Highways:
 - Preston Highway at Antle Drive
 - Preston Highway at Mudd Land and Mount Washington Road
 - Preston Highway at proposed Road A
21. The developer, successor or assigns shall construct a new southbound right turn lane from Preston Highway onto proposed Road A to meet AASHTO design standards as approved by the Kentucky Department of Highways.
22. The developer, successor or assigns shall modify the existing flashing signal at Preston Highway and proposed Road A as required by the Kentucky Department of Highways.
23. Timing of road and signal improvements shall be determined at time of detailed district development plan approval and/or construction plan approval for any public roads.
24. All bonds for the 9-105-89 (Southgate I) and 9-2-97 (Standiford Plaza) cases, as previously required, shall be in place.