

# Development Review Committee Staff Report

June 2, 2021



<b>Case No:</b>	21-DDP-0026
<b>Project Name:</b>	Kindred Louisville Rehabilitation Hospital
<b>Location:</b>	5000 Chamberlain Lane
<b>Owner(s):</b>	KND Real Estate 33, LLC
<b>Applicant:</b>	KND Real Estate 33, LLC
<b>Representative(s):</b>	Tanner Nichols, Frost Brown Todd, LLC
<b>Jurisdiction:</b>	Louisville Metro
<b>Council District:</b>	16 – Scott Reed
<b>Case Manager:</b>	Jon E. Crumbie, Planning & Design Coordinator

## REQUEST(S)

- Revised Detailed District Development Plan

## CASE SUMMARY

The applicant is proposing to construct a new 2-story, 55,363 square feet inpatient rehabilitation hospital.

## STAFF FINDING

The request is adequately justified and meet the standards of review. The proposed development plan conforms to applicable guidelines and policies of the Comprehensive Plan and the Land Development Code.

## TECHNICAL REVIEW

The Board of Zoning Adjustment will consider a conditional use permit for a rehabilitation hospital at the June 21, 2021 meeting.

A minor subdivision plat will be needed to move a lot line.

## INTERESTED PARTY COMMENTS

Staff has received no comments from interested parties concerning this request, but a neighborhood meeting was completed for the conditional use permit.

## STANDARD OF REVIEW AND STAFF ANALYSIS FOR DETAILED DISTRICT DEVELOPMENT PLAN

- a. The conservation of natural resources on the property proposed for development, including: trees and other living vegetation, steep slopes, water courses, flood plains, soils, air quality, scenic views, and historic sites;

STAFF: There are no significant natural or historic resources on the subject site.

- b. The provisions for safe and efficient vehicular and pedestrian transportation both within the development and the community;

STAFF: Provisions for safe and efficient vehicular and pedestrian transportation have been provided around and within the proposed development. Transportation Planning has approved the preliminary development plan.

- c. The provision of sufficient open space (scenic and recreational) to meet the needs of the proposed development;

STAFF: There are no open space requirements applicable to this proposal.

- d. The provision of adequate drainage facilities on the subject site in order to prevent drainage problems from occurring on the subject site or within the community;

STAFF: The Metropolitan Sewer District has approved the preliminary development plan and will ensure the provisions of adequate drainage facilities on the subject site in order to prevent drainage problems from occurring on the subject site or within the community.

- e. The compatibility of the overall site design (location of buildings, parking lots, screening, landscaping) and land use or uses with the existing and projected future development of the area;

STAFF: The overall site design and land uses are compatible with the existing and future development of the area. The required screening and buffering will be provided around the subject site

- f. Conformance of the development plan with the Comprehensive Plan and Land Development Code. Revised plan certain development plans shall be evaluated for conformance with the non-residential and mixed-use intent of the form districts and comprehensive plan.

STAFF: The proposed development plan conforms to applicable guidelines and policies of the Comprehensive Plan and the Land Development Code.

## **REQUIRED ACTIONS**

- **APPROVE** or **DENY** the **Revised Detailed District Development Plan**

## **NOTIFICATION**

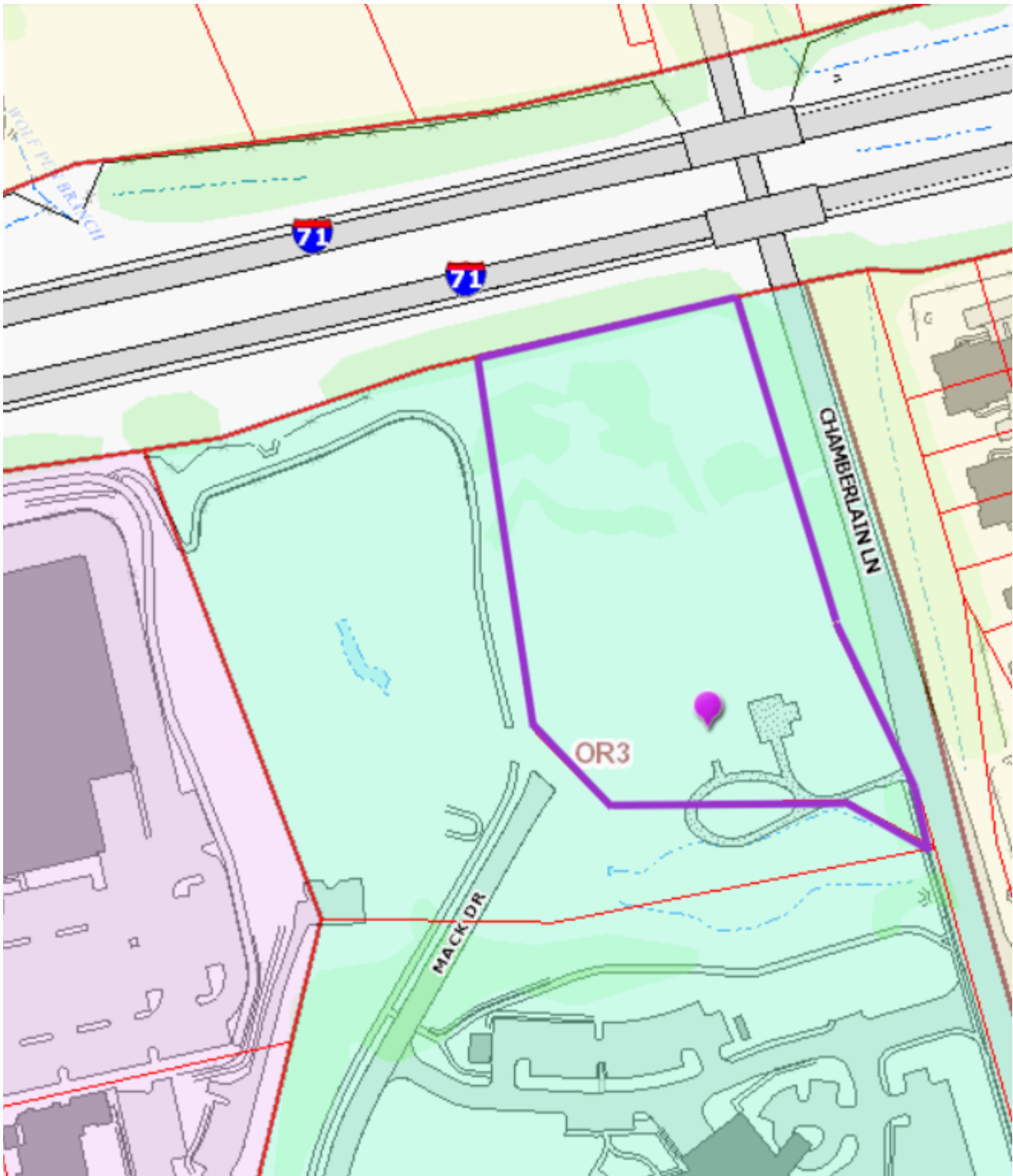
<b>Date</b>	<b>Purpose of Notice</b>	<b>Recipients</b>
<b>5-14-21</b>	Hearing before DRC	1 <sup>st</sup> tier adjoining property owners Registered Speakers at previous public hearings Registered Neighborhood Groups in Council District 11

## **ATTACHMENTS**

1. Zoning Map

2. Aerial Photograph
3. Existing Binding Elements to be replaced
4. Proposed Binding Elements

1. **Zoning & Form Map**



2. **Aerial Photograph**



**3. Existing Binding Elements**

1. Sidewalks shall be placed as determined by Metro Public Works. Sidewalk shall use Old Louisville Mix along Chamberlain Lane.

2. 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 for review and approval; any changes/additions/alterations not so referred shall not be valid.
- ~~3. Development shall not exceed 82,000 sf as shown on the approved district development plan.~~
4. Signs shall be in accordance with Chapter 8.
5. No outdoor advertising signs, small freestanding signs, pennants, balloons or banners shall be permitted on the site.
6. 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.
7. 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 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.
  - c. An access and crossover easement agreement in a form acceptable to the Planning Commission legal counsel shall be created granting the adjoining property owners to the south and recorded by the developer of this property. 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.
8. 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.

9. There shall be no outdoor music (live, piped, radio or amplified) or outdoor entertainment or outdoor PA system audible beyond the property line.
10. 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.
11. The materials and design of proposed structures shall be substantially the same as depicted in the rendering as presented at the ~~September 3, 2014~~ Development Review Committee meeting.
12. 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 thereafter. 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.
13. To the extent required by Metro Transportation Planning and Public Works, Developer shall re-stripe Chamberlain Lane to provide left-turn lanes at entrance and bike lanes per Louisville Metro Public Works and Assets requirements, standards and approved schematics. Pressure-washing shall be used to remove the existing stripes. If existing striping cannot be adequately removed by pressure-washing, pavement area of re-striping is to be overlaid. Construction plans, bond and encroachment permit are required prior to Metro Public Works construction approval.
14. A Crossover Access Easement for secondary vehicular access will be granted by the owner of the subject property prior to construction plan approval, provided primary access is provided to the north property from Chamberlain Lane. Norton will construct the vehicular and sidewalk connections as shown on its approved detailed development plan and the adjacent property owner to the north will construct the remainder of the vehicular and sidewalk connections at such time as the property to the north is developed.
15. LIGHTING for the subject property, as shown on the development approved by the ~~Planning Commission on September 3, 2014~~, shall assure that parking lot lighting shall be "Dark Sky" compliant. Light poles/stanchions shall not exceed 27 feet in total height. The lamps shall be fully shielded with a 90 degree cut-off. All lighting shall otherwise comply with the Land Development Code.

16. LANDSCAPING the subject property, as shown on the development approved by the ~~Planning Commission on September 3, 2014~~, shall assure that native plant materials shall be utilized to replace vegetation removed, if any, along Chamberlain Lane in connection with the installation of sidewalks, parking and the entrance to the site. Wolf Pen Preservation Association shall be consulted to prepare the final landscape plan.
17. SIGNAGE for the subject property, as shown on the development approved by the ~~Planning Commission on September 3, 2014~~ shall be limited, in terms of free-standing signage, to a monument style sign 6' high by 60 sq. ft. in area at the Chamberlain Lane entrance which shall be externally illuminated, directed down and away from the residences across Chamberlain Lane.
18. Developer of the subject property, as shown on the development plan approved by the ~~Planning Commission on September 3, 2014~~, shall make such road improvements to Chamberlain, if any, as required by Metro Transportation Planning and Public Works requirements. Any required integral sidewalks along Chamberlain Lane shall use the Old Louisville Mix. To the extent required above, Developer shall be responsible for any required utility relocations, final surface overlay, signage and striping associated with required road improvements to Chamberlain Lane. Construction plans, bond and permit are required prior to construction approval by Metro Public Works. Developer shall not request a certificate of occupancy until road improvements are complete.

#### **4. Proposed Binding Elements**

1. Sidewalks shall be placed as determined by Metro Public Works. Sidewalk shall use Old Louisville Mix along Chamberlain Lane.
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