

**PLANNING COMMISSION MINUTES**  
**January 9, 2020**

**PUBLIC HEARING**

**CASE NO. 19-ZONE-0069**

**\*NOTE: Commissioner Brown left the meeting at 4:38 p.m. and did not hear or vote on this case.**

|                   |   |
|-------------------|---|
| Request:          | Change in zoning from C-1 to C-2 with a Conditional Use Permit and a Detailed District Development Plan |
| Project Name:     | Talecris Plasma Resources   |
| Location:         | 1219 Gilmore Lane   |
| Owner:            | Lyncen, LLC   |
| Applicant:        | Talecris Plasma Resources   |
| Representative:   | Talecris Plasma Resources   |
| Jurisdiction:     | Louisville Metro  |
| Council District: | 21 – Nicole George  |

**Case Manager:                    Julia Williams, AICP, Planning Supervisor**

Notice of this public hearing appeared in The Courier-Journal, a notice was posted on the property, and notices were sent by first class mail to those adjoining property owners whose names were supplied by the applicants.

The staff report prepared for this case was incorporated into the record. The Commissioners received this report in advance of the hearing, and this report was available to any interested party prior to the public hearing. (The staff report is part of the case file maintained in Planning and Design Services offices, 444 S. 5th Street.)

**Agency Testimony:**

03:48:23     Julia Williams presented the case and showed a Power Point presentation (see staff report and recording for detailed presentation.)

03:52:58     Ms. Williams read the following corrections to the staff report into the record:

- Under the Standard of Review and Staff Analysis for the Conditional Use Permit, Item #1 should read, “As detailed in the Staff Analysis in the staff report, the proposed Conditional Use Permit for a plasma center should demonstrate how it complies with the Comprehensive Plan.”
- Under the Standard of Review and Staff Analysis for the Conditional Use Permit, Item #2 should read, “The proposed plasma center appears to be at a scale appropriate with the surrounding commercial area and will have limited impact on nearby residential uses, as it is located in an existing commercial center. Setbacks and building heights are compatible with nearby properties, and meet form district

**PLANNING COMMISSION MINUTES**  
**January 9, 2020**

**PUBLIC HEARING**

**CASE NO. 19-ZONE-0069**

requirements for the proposed zoning district; therefore, the proposal is compatible with surrounding uses and the general character of the area.”

03:54:46 In response to a question from Commissioner Howard, Ms. Williams confirmed that this is an expansion of an existing plasma center. Using the site plan, she discussed zoning on the existing and proposed portions of the building.

**The following spoke in support of this request:**

Chris Brown, BTM Engineering, 3001 Taylor Springs Drive, Louisville, KY 40220

Colin Seal, Talecris Plasma Resources, 5037 Preston Highway, Louisville, KY 40213

**Summary of testimony of those in support:**

03:56:20 Chris Brown, the applicant's representative, introduced Colin Seal.

03:57:37 Colin Seal, an applicant's representative, discussed the expansion and explained what the company does (see recording for his detailed presentation.)

04:08:22 Mr. Brown presented the applicant's case and showed a Power Point presentation regarding the land use and proposal.

04:10:45 In response to a question from Commissioner Mims, Mr. Brown explained that there will be no new exterior construction.

04:13:53 In response to a question from Commissioner Carlson, days and hours of operation are Monday through Friday, 7:00 a.m. through 7:00 p.m.; Saturday 7:00 a.m. to 3:00 p.m.; Sunday 7:00 a.m. to 1:00 p.m.

**The following spoke in opposition to this request:**

No one spoke.

04:15:26 Commissioners' deliberation.

**An audio/visual recording of the Planning Commission hearing related to this case is available on the Planning & Design Services website, or you may contact the Customer Service staff to view the recording or to obtain a copy.**

**PLANNING COMMISSION MINUTES**  
**January 9, 2020**

**PUBLIC HEARING**

**CASE NO. 19-ZONE-0069**

**Zoning**

04:17:32 On a motion by Commissioner Carlson, seconded by Commissioner Howard, the following resolution, based on the Staff Plan 2040 checklist and evidence and testimony heard today, was adopted:

**WHEREAS**, the Louisville Metro Planning Commission finds that the proposal meets the intents of Land Use & Development Goal 1: Community Form because the proposed district does not result in a non- residential expansion into a residential area as the subject site is currently zoned for commercial activities and impervious surfaces and buildings are present; the proposed higher intensity is located on a major arterial roadway with access to I-65 and I-264 within close proximity. Preston Hwy is major transit corridor providing access to employment centers downtown and to the south. Preston Highway is a major arterial corridor intended to serve heavy volumes of traffic such as those that might accompany uses within the proposed district; and uses within the district do not pose a great deal of adverse impact associated with noise and most uses permitted are to be contained within structures; and

**WHEREAS**, the Commission further finds that the proposal meets the intents of Land Use & Development Goal 2: Community Form because the proposal is located within an existing activity center. Design is to be consistent with the form district. Permitted density within the district is compatible with the available transportation and infrastructure network; a sufficient population exists for the current activity centers and a variety of uses permitted within the center, including those expanded activities allowed by the proposed district; the development is cost effective as it is a reuse of an existing structure and parking facilities; the proposed district encourages a greater mixture of uses that are supported by the form, and transportation and infrastructure network. The district has a limited impact on vitality and a sense of place along the corridor has a wide variety of densities and intensities are available; and the proposal allows for the reuse of an existing structure and parking facilities; and

**WHEREAS**, the Commission further finds that the proposal meets the intents of Land Use & Development Goal 3: Community Form because existing conditions indicate that natural or sensitive features are not present; the site is previously developed and the majority of the land is impervious; thus, wet or highly permeable soils, severe, steep or unstable slopes would not appear to be present; and no changes to existing conditions that might impact flood-prone areas are present; and

**PLANNING COMMISSION MINUTES**  
**January 9, 2020**

**PUBLIC HEARING**

**CASE NO. 19-ZONE-0069**

**WHEREAS**, the Commission further finds that the proposal meets the intents of Land Use & Development Goal 4: Community Form because the proposal allows for the reuse of an existing structure and parking facilities. There is no historic or architectural value apparent on site; and the proposal allows for the reuse of an existing structure and parking facilities. There are no cultural features present; and

**WHEREAS**, the Commission further finds that the proposal meets the intents of Land Use & Development Goal 1: Mobility because the proposed higher intensity district is within or near existing marketplace corridors, existing and future activity centers, and employment centers. Preston Hwy is a major transit corridor connecting many parts of the community; and

**WHEREAS**, the Commission further finds that the proposal meets the intents of Land Use & Development Goal 3: Mobility because Preston Hwy is a major transit corridor connecting many parts of the community. Sidewalks are present along the roadway; the proposal allows for the reuse of an existing structure and parking facilities where located along a major transit corridor having public sidewalks; the transportation network is sufficient to handle large volumes of traffic and accommodating pedestrians as it has convenient access to the interstate and TARC service; Transportation Planning is not requesting any changes to the existing transportation facilities; and

**WHEREAS**, the Commission further finds that the proposal meets the intents of Land Use & Development Goal 2: Community Facilities because existing utilities would appear to be available; the development has an adequate supply of potable water and water for fire-fighting purposes; and MSD has no issues with the proposal; and

**WHEREAS**, the Commission further finds that the proposal meets the intents of Land Use & Development Goal 1: Economic Development because the proposed district is located on a major arterial street with access to I-65, I-264, and the airport; and the proposed district is located locate with the appropriate transportation connectivity on a major arterial street with access to I-65, I-264, and the airport; and

**WHEREAS**, the Commission further finds that the proposal meets the intents of Land Use & Development Goal 1: Livability because existing conditions suggest that the site is less vulnerable to erosion or karst impacts or such conditions are not able to be evaluated given these conditions; and MSD comments must be addressed; now, therefore be it

**PLANNING COMMISSION MINUTES**  
**January 9, 2020**

**PUBLIC HEARING**

**CASE NO. 19-ZONE-0069**

**RESOLVED**, the Louisville Metro Planning Commission does hereby **RECOMMEND** to the Louisville Metro Council that the proposed Change in zoning from C-1 to C-2, Commercial on property described in the attached legal description be **APPROVED**.

**The vote was as follows:**

**YES: Commissioners Tomes, Howard, Peterson, Daniels, Carlson, Mims, and Lewis.**

**NOT PRESENT: Commissioners Jarboe and Brown.**

**Conditional Use Permit**

04:18:30 On a motion by Commissioner Carlson, seconded by Commissioner Peterson, the following resolution, based on the Standard of Review and Staff Analysis and evidence and testimony heard today, was adopted:

**Conditional Use Permit**

04:18:30 On a motion by Commissioner Carlson, seconded by Commissioner Peterson, the following resolution, based on the Standard of Review and Staff Analysis and evidence and testimony heard today, was adopted:

**WHEREAS**, The Louisville Metro Planning Commission finds that, as detailed in the Staff Analysis in the staff report, the proposed Conditional Use Permit for a plasma center has demonstrated how it complies with the Comprehensive Plan; and

**WHEREAS**, the Commission further finds that the proposed plasma center appears to be at a scale appropriate with the surrounding commercial area and will have limited impact on nearby residential uses, as it is located in an existing commercial center. Setbacks and building heights are compatible with nearby properties, and meet form district requirements for the proposed zoning district; therefore, the proposal is compatible with surrounding uses and the general character of the area; and

**WHEREAS**, the Commission further finds that improvements to the site and right-of-way made necessary by the proposed development, such as transportation and drainage, have been adequately provided to serve the proposed use; and

**WHEREAS**, the Commission further finds that the proposal provides appropriate transitions to adjacent residential and day care uses through the use of landscape buffer yards, setbacks and screening. Setbacks and building heights are compatible

**PLANNING COMMISSION MINUTES**  
**January 9, 2020**

**PUBLIC HEARING**

**CASE NO. 19-ZONE-0069**

with nearby properties and meet form district requirements for the proposed zoning district; and

**WHEREAS**, the Commission further finds that the proposal provides 30 ft landscape buffer areas adjacent to both side property lines abutting properties with residential zoning districts; now, therefore be it

**RESOLVED**, the Louisville Metro Planning Commission does hereby **APPROVE** the requested Conditional Use Permit for blood/plasma collection center with relief from item 'A' (LDC 4.2.10).

**The vote was as follows:**

**YES: Commissioners Tomes, Howard, Peterson, Daniels, Carlson, Mims, and Lewis.**

**NOT PRESENT: Commissioners Jarboe and Brown.**

**Detailed District Development Plan**

04:19:41 On a motion by Commissioner Carlson, seconded by Commissioner Howard, the following resolution, based on the Standard of Review and Staff Analysis and evidence and testimony heard today, was adopted:

**WHEREAS**, the Louisville Metro Planning Commission finds that there do not appear to be any environmental constraints or historic resources on the subject site; and

**WHEREAS**, the Commission further finds that provisions for safe and efficient vehicular and pedestrian transportation within and around the development and the community has been provided, and Metro Public Works has approved the preliminary development plan; and

**WHEREAS**, the Commission further finds that there are no open space requirements pertinent to the current proposal; and

**WHEREAS**, the Commission further finds that the Metropolitan Sewer District has approved the preliminary development plan and will ensure 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; and

**PLANNING COMMISSION MINUTES**  
**January 9, 2020**

**PUBLIC HEARING**

**CASE NO. 19-ZONE-0069**

**WHEREAS**, the Commission further finds that the overall site design and land uses are compatible with the existing and future development of the area; and

**WHEREAS**, the Commission further finds that the development plan conforms to applicable guidelines and policies of the Comprehensive Plan and to requirements of the Land Development Code; now, therefore be it

**RESOLVED**, the Louisville Metro Planning Commission does hereby **APPROVE** the requested Detailed District Development Plan, **SUBJECT** to the following binding elements:

1. 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.
2. Before any permit (including but not limited to building, parking lot, change of use, site disturbance) 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.
3. 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.
4. 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.

**PLANNING COMMISSION MINUTES**  
**January 9, 2020**

**PUBLIC HEARING**

**CASE NO. 19-ZONE-0069**

5. No outdoor advertising signs, small freestanding signs, pennants, balloons, or banners shall be permitted on the site.

**The vote was as follows:**

**YES: Commissioners Tomes, Howard, Peterson, Daniels, Carlson, Mims, and Lewis.**

**NOT PRESENT: Commissioners Jarboe and Brown.**