

# Development Review Committee

## Staff Report

June 30, 2021



|                           |   |
|---------------------------|---|
| <b>Case No:</b>           | 21-DDP-0053                                   |
| <b>Project Name:</b>      | ImmunoTek Blood Plaza Center                  |
| <b>Location:</b>          | 8209mPreston Highway                          |
| <b>Owner(s):</b>          | 8290 Preston, LLC                             |
| <b>Applicant:</b>         | ImmunoTek Bio Centers                         |
| <b>Representative(s):</b> | Chris Brown, BTM Engineering                  |
| <b>Jurisdiction:</b>      | Louisville Metro                              |
| <b>Council District:</b>  | 24 – Madonna Flood                            |
| <b>Case Manager:</b>      | Jon E. Crumbie, Planning & Design Coordinator |

### REQUEST(S)

- Revised Detailed District Development Plan

### CASE SUMMARY

The applicant is proposing to use the existing structure as a blood plasma center.

### 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, variances, and waiver for a blood plasma center at the July 12, 2021 meeting.

### INTERESTED PARTY COMMENTS

Staff has received one comment 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: The natural resources of the majority of the existing Type B stream buffer are being preserved with minor encroachments. There will be buffering along the northern property perimeter.

- 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. Although landscape waivers are being requested, 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**

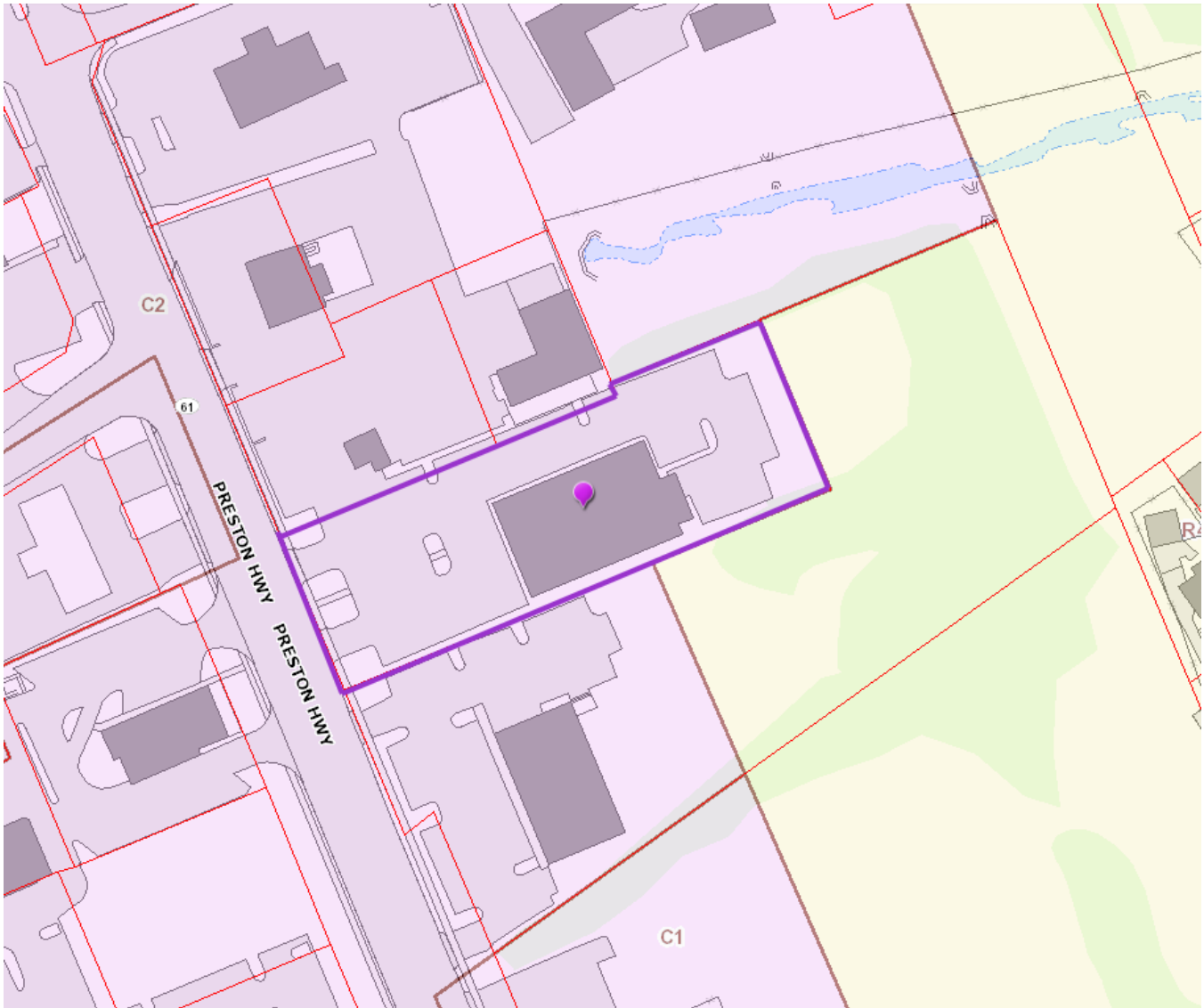
**NOTIFICATION**

| Date    | Purpose of Notice  | Recipients   |
|---------|--------------------|--|
| 6-16-21 | Hearing before DRC | 1 <sup>st</sup> tier adjoining property owners<br>Registered Speakers at previous public hearings<br>Registered Neighborhood Groups in Council District 24 |

## **ATTACHMENTS**

1. Zoning Map
2. Aerial Photograph
3. Existing Binding Elements to be replaced
4. Proposed Binding Element

### **1. Zoning Map**



### **2. Aerial Photograph**



**3. Existing Binding Elements**

- ~~1. The development will be in accordance with the approved district development plan.~~
- ~~2. The development shall not exceed 10,056 square feet of gross leasable area.~~
- ~~3. Before a certificate of occupancy is issued:
  - ~~a. Any changes to the development plan must be approved by Louisville Metro Public Works and Okolona Fire Department.~~
  - ~~b. The size and location of any proposed business identification signs must be approved by the Planning Commission or designee.~~~~
- ~~4. No certificate of occupancy may be issued more than one year from the date of approval of the plan or rezoning whichever is later or the property shall not be used in any manner.~~

- ~~5. 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.~~
- ~~6. The above binding elements may be amended as provided for in the Zoning District Regulations.~~
7. The property owner shall provide a cross over access easement if properties to the north or south are ever redeveloped for nonresidential use. A copy of the signed easement agreement shall be provided to Planning Commission staff upon request. The property owner understands elimination of parking spaces for cross access may require a parking waiver or joint parking agreement at that time. If cross access allows safe emergency access as approved by Louisville Metro Public Works and Okolona Fire Department, applicant agrees to close one of two vehicular access points to Preston Highway.
- ~~8. Use of the property including proposed rear parking area shall be limited to the proposed bingo hall as shown at the February 4, 2009 meeting of the Development Review Committee. Any changes of use on the site shall be approved by Planning & Design Services staff and may be required return to public review at staff discretion.~~

#### **4. Proposed 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. No outdoor advertising signs, small freestanding signs, pennants, balloons or banners shall be permitted on the site. All other signs shall be in accordance with Chapter 8 of the Land Development Code.
3. 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.
4. The property owner shall provide a cross over access easement if properties to the north or south are ever redeveloped for nonresidential use. A copy of the signed easement agreement shall be provided to Planning Commission staff upon request. The property owner understands elimination of parking spaces for cross access may require a parking waiver or joint parking agreement at that time. If cross access allows safe emergency access as approved by Louisville Metro Public Works and Okolona Fire Department, applicant agrees to close one of two vehicular access points to Preston Highway.

5. 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.
6. 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.
7. 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.