

**Planning Commission
Staff Report**
July 16, 2015



Case No:	15CUP1012
Request:	Noise Mitigation for Conditional Use Permit to allow a home for the infirmed and aged in an R-4 Zoning District
Project Name:	Chamberlain Senior Care
Location:	5217 Chamberlain Lane
Owner:	Chamberlain, LLC
Applicant:	Chamberlain Senior Care, LLC
Representative:	William B. Bardenwerper
Jurisdiction:	Louisville Metro
Council District:	16 – Kelly Downard
Case Manager:	Brian Davis, AICP, Planning Supervisor

REQUEST

- Approval of the Noise Mitigation Measures for the proposed home for the infirmed and aged.

CASE SUMMARY/BACKGROUND/SITE CONTEXT

The applicant recently received approval from the Louisville Metro Board of Zoning Adjustments to develop a home for the infirmed and aged. The development will consist of three building with a total of 162 units on approximately 14.82 acres. A portion of the proposed development lies within 250 feet from I-71. According to Section 5.1.7.E.1, "no residential structure or noise sensitive use, including schools, libraries and nursing homes shall be located within 250 feet of the edge of pavement of the expressway's nearest travel lane, including ramps" unless the development complies with item F.5 which states "school, libraries and nursing homes may be allowed if it can be demonstrated that sound-proofing measures incorporated in the structure will yield interior noise levels within applicable federal standards."

Staff and the Board of Zoning Adjustments failed to consider noise mitigation with this application.

The applicant has submitted a noise study that was conducted for the adjoining Norton Commons apartment development located north of I-71 between Dayflower Street and Chamberlain Lane. According to the applicant's letter, the Noise Impact Study recommendation is to provide a minimum STC rating of 33 on the exterior windows within the setback, which Chamberlain Lane Senior Care has no objection to providing.

PREVIOUS CASES ON SITE

15CUP1012: On May 4, 2015 the Louisville Metro Board of Zoning Adjustments approved a conditional use permit to allow the home for the infirmed and aged.

1. Aerial Photograph

