

**LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES**  
**January 16, 2020**

**NEW BUSINESS**

**CASE NO. 19-ZONE-0079**

Request: Change in zoning from R-4 to R-5A, with Conditional Use Permit and Detailed District Development Plan and Binding Elements

Project Name: Freedom Senior Center

Location: 5101 Bardstown Road

Owner: Sanvi Realty LLC

Applicant: Sanvi Realty LLC

Representative: Miller Wihry

Jurisdiction: Louisville Metro

Council District: 22 – Robin Engel

**Case Manager: Dante St. Germain, AICP, Planner II**

The staff report prepared for this case was incorporated into the record. This report was available to any interested party prior to the LD&T meeting. (Staff report is part of the case file maintained in Planning and Design Services offices, 444 S. 5th Street.)

**Agency Testimony:**

00:05:50 Ms. St. Germain discussed the case summary, standard of review and staff analysis from the staff report.

00:08:54 Mr. Carroll asked, what is an adult daycare? Ms. St. Germain said it's just like a child daycare. Also, is there an age limit? Ms. St. Germain said yes, but the Land Development Code doesn't distinguish between adult and child daycares.

00:09:16 Mr. Reverman asked if there were any cross access or open space requirements. Ms. St. Germain said there are open space requirements under multi-family and those are being met.

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

John Miller, Miller Wihry, 1387 South 4<sup>th</sup> Street, Louisville, Ky. 40208

**Summary of testimony of those in favor:**

00:10:25 Mr. Miller stated that adult daycare is for individuals 55 and older. The mission is to help people stay out of assisted living facilities and nursing homes.

Mr. Miller gave a power point presentation. The current Freedom Adult Daycare is located about 1 mile northwest of the proposed site. There are 75 enrollees and they are picked up in vans. The hours of operation are 9:00 a.m. to 5:00 p.m. The new location will offer more utilization of outdoor space/activities when the weather permits.

**LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES**  
**January 16, 2020**

**NEW BUSINESS**

**CASE NO. 19-ZONE-0079**

The units are all one bedroom. All the tree coverage, except 1 large tree, that currently exists will be preserved. The project is a reuse of the existing buildings – residential building, small greenhouse and a garage.

00:16:24 Commissioner Daniels asked what will happen to the current existing adult daycare building. Mr. Miller said they will be vacating that space.

00:16:52 Commissioner Brown asked if the multi-family will be age restricted. Mr. Miller said yes. Also, will that be done through a binding element? Ms. St. Germain said yes, that's generally what Metro Council suggests.

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

Peggy Uhlman, 5113 Bardstown Road, Louisville, Ky. 40291

**Summary of testimony of those in opposition:**

00:20:48 Ms. Uhlman said she was concerned about the 60+ units. When the House of Fire owned the property, they altered the landscape by filling it in with dirt. Can the land structurally handle a 3-story building? By doing that, they caused a slope to my property and caused some drainage issues.

Ms. Uhlman said she's concerned about rezoning it to multi-family. Acting Chair Carlson said any property in Jefferson County is subject to being rezoned at any time, except if it has been denied in the past 2 years or unless the applicant submits another plan that is substantially different.

00:26:53 Mr. Reverman said the question about restricting the proposal to seniors and if that binding element is added, the applicant can always come back to LD&T and ask to change it (you will be notified). The Planning Commission will have final approval. Acting Chair Carlson explained the conditional use permit process.

00:28:35 Mr. Miller stated a karst survey was done and a Geotechnical Engineer with Greenebaum Associates reviewed the site. If the fill was not placed correctly or cannot support the building, it will be rectified.

00:29:57 Mr. Kelly, MSD, described the plan for sanitation. The grading questions can't be answered at this time because his computers were down. Mr. Kelly said he will give his card to Ms. Uhlman and contact her with that information at a later date. As shown now, the building and new work will be draining to the front of the property.



**LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES**  
**January 16, 2020**

**NEW BUSINESS**

**CASE NO. 19-ZONE-0079**

**An audio/visual recording of the Land Development & Transportation Committee meeting 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.**

**The Committee by general consensus placed this case on the February 6, 2020 public hearing at the Old Jail Building.**