

## **CONDITIONAL USE PERMIT JUSTIFICATION STATEMENT**

**631 South 28<sup>th</sup> Street (“Property”)**

**22-CUPPA-0370**

**THIS IS A CONDITIONAL USE PERMIT PURSUANT TO SECTION 4.2.19 OF THE LAND DEVELOPMENT CODE TO ALLOW OPERATION OF AN ADULT CARE CENTER WITHIN AN R6 ZONE.**

This Property is requesting a Conditional Use Permit (CUP) to allow the former Adult Care Center to resume operations. The site was formerly owned by the Commonwealth of Kentucky, Cabinet for Health and Family Services, and as such did not require a CUP to operate. ElderServe has acquired the property and is requesting the CUP to allow the same functions previously provided onsite. No new construction is proposed for the Property in connection with the requested CUP, and no variances or waivers are proposed at this time. All requirements set for the by the Metro Land Development Code (LDC) are intended to be met.

### **Conformance with Comprehensive Plan**

Compliance with specific applicable plan elements, goals, objectives, and policies of the Plan 2040 A Comprehensive Plan for Louisville Metro (“Plan”) are set forth in this Justification Statement.

#### **Plan Element 4.1 Community Form. (Goals 1.a, b, c, 2.b, c, 3.a, c, d, 4a, b, c)**

According to LOJIC Online the property currently lies within the Neighborhood Form District. The Neighborhood Form District is characterized by predominantly residential uses but allows for other uses that have limited impact on the surrounding areas. The Neighborhood Form District should have uses and services that serve the residents, with appropriately located and integrated neighborhood centers.

The proposed CUP is appropriate for the site. Goal 1 Objectives (a) and (b) prescribe that use of appropriate form districts guides community development and enhance community form, with development shaped by the preferred character of the neighborhood. The building is of a design appropriate in mass, scale, and style to the buildings in the neighborhood and was previously approved to operate without a CUP due to former ownership by a government agency. Although renovations are anticipated, no new construction is proposed for the Property. Any renovations potentially altering the building’s exterior will take cues from the surrounding neighborhood and will not negatively impact the architectural integrity of the Russell National Register District, aligning the project with Community Form Goal 4. Consistent with Community Form Goal 3, revitalization of the Property promotes community resilience and preserves the

character of the building, as opposed to proposing new construction or establishing a new use for the site. The project conforms to the intent of the Community Form plan element because promotes the prosperity of the neighborhood by empowering older adults to live independently with dignity. Goal 1 Objective (c), and Goal 2 Objective (b) encourage implementing growth and development patterns that foster health and prosperity of all neighborhoods and promote quality of place. The project is the kind of multipurpose center that is encouraged by the Plan and allows the former Adult Care Facility to resume operations previously halted by the COVID-19 pandemic. The CUP will enable the site to function as a one-stop shop for seniors by allowing the Property to provide critical programming and services to senior adults and meet their day-to-day needs. These services include daily care for frail seniors (those primarily those living at home with family), exercise classes, wellness checks, skill-building workshops, and opportunities for social engagement, among others. The project's proximity to Elliot Park provides an expanded opportunity for outdoor recreation without imposing additional mobility requirements to access those spaces. In sum, granting the CUP for the site's revitalization will promote for the neighborhood's quality of place for seniors and other community members, while minimizing negative environmental impacts and preserving the area's character.

#### **Plan Element 4.2     Mobility (Goals 1.a, 3.c)**

The plan element of Mobility promotes effective connectivity through the community via a safe and effective transportation system. Goal 1 of the Mobility plan element is to implement an accessible system of alternative transportation modes, and Goal 3 is to encourage land use and transportation patterns that connect Louisville Metro and support future growth. Individuals can travel to and access the site through multiple modes of transportation. Existing transportation infrastructure provides means of travel to the Property. Existing sidewalks provide pedestrian access to the site along both South 28<sup>th</sup> Street and Magazine Street, with a TARC stop is located on the northwest corner of the site at the vertex of South 28<sup>th</sup> and Magazine Streets. Elliot Park can be accessed by crossing South 28<sup>th</sup> Street. If opting for vehicular travel, the site includes an existing queuing space for approximately 10 cars to allow easy drop-off and pick-up of seniors and other building visitors.

#### **Plan Element 4.3     Community Facilities (Goals 1.a, 2.a, b, e, f, , 3.a, c)**

Goal 1 of the Community Facilities plan element is to ensure that community facilities are accessible. As noted in the Mobility plan element, the site is accessible through multiple modes of transportation and promotes health and recreational programs for seniors, consistent with Objective (a). Goal 2 of the Community Facilities plan element is to plan community facilities to improve quality of life and meet anticipated growth. Consistent with Objectives (e) and (f), the Property is located in an area being served by existing utilities and public services, and is located outside both local and FEMA 100-year floodplains according to LOJIC. The Property's location, type and design is compatible with surrounding land uses and neighborhood character, including the Russell National Register District. The purpose of the project is to empower the dignified and independent living of local seniors. Revitalization of the Property meets the current need for the

facility, fulfilling an existing need caused by its pandemic-induced closure. The need for this facility and similar projects is anticipated to grow. According to the 2040 Comprehensive Plan's Introduction, the number of people in Louisville Metro over the age of 65 is expected to increase substantially by 2040, particularly among females.

Goal 3 is to design community facilities to be resilient and compatible with the surrounding neighborhood. As noted in the Community Form plan element, the project is designed to be compatible with its surroundings and promotes community resilience by empowering seniors to live dignified, independent lives. These features align the project with Objective (a). As a revitalized property, it promotes infill growth without changing the largely residential character of the surrounding area, consistent with Objective (c).

#### **Plan Element 4.4 Economic Development (Goals 1.b, e, f, 2.a, b, d, e)**

The intent of the Economic Development plan element is to provide a framework for a healthy economic climate. The goals, objectives, and policies advance Louisville Metro's economic development vision by encouraging investment in areas facing disinvestment. Allowing the applicant to reopen and operate at this location would specifically target the lifelong wellness and aging care business sector listed in Objective (b) of Goal 1. Further, granting the CUP would be a consistent and efficient planning and zoning exercise on part of the Louisville Metro Planning Commission, consistent with Objective (e). No zone or land use changes will occur as part of this plan and a CUP is required only because of the facility's private ownership.

Goal 2 of this plan element encourages opportunities for adaptive re-use and encourages infill development through flexible land use regulations. Policy 7 of Goal 2 of this plan element encourages redevelopment, rehabilitation, and reinvestment opportunities in Russell, a historic and historically underserved Louisville Metro neighborhood. By granting the CUP the planning commission will seize the opportunity to create a more equitable distribution of recreational opportunities and community services for seniors living in and around Russell. Planned improvements to the Property are designed to meet the unique day-to-day health and recreational needs of seniors, both of which are short supply relative to other areas of Louisville Metro. The reinvestment and development of this property is consistent with and supported by the Plan.

#### **Plan Element 4.5 Livability (Goals 1.d, 2.a, 4.f)**

The intent of the Livability plan element is to provide guidance and direction for the provision and maintenance of resources necessary for the health and well-being of the citizens. Objective (c) and policy 7 of Goal 1 of this plan element is appropriate landscape design standards for different land uses. The applicant submitted a landscape plan consistent with agency review commentary and will employ both temporary and general tree preservation measures, consistent with Goal 1 Objective (c) and Goal 4 Objective (f). Goal 2 Objective (a) of this plan element is that neighborhoods have access to resources necessary to maintain health and well-being,

including healthy food, medical services, and recreational opportunities. The facility's mission and operational intent is precisely the elements listed in Objective (a) geared toward seniors.

**Plan Element 4.6     Housing (Goals 1.b, 2.b, e, f, 3a)**

The proposed CUP would not displace any existing residence. This plan element seeks to enhance housing opportunities to all citizens of Louisville. Specifically, the project supports Goal 1 Objective (b) and Policy 2 by supporting residents to age in place independently and with dignity, while preserving the character of the historic Russell neighborhood. The applicant aims to revitalize the property as opposed to constructing a new and potentially incompatibly designed structure. The CUP will also meet Goal 2 of this element by promote infill development near Elliot Park as adaptive re-use as opposed to new construction. Finally, the project will meet revitalize an underused property forced to close due to COVID-19 by providing a gathering place for seniors to live independent and dignified lives while receiving necessary health, wellness, and social opportunities, consistent with Goal 3 Objective (a).