

**CONDITIONAL USE PERMIT JUSTIFICATION
5000 CHAMBERLAIN LANE REHABILITATION HOSPITAL
(CUP CATEGORY: HOSPITALS AND MEDICAL CLINICS)
(LDC §4.2.29)**

The Applicant is proposing a rehabilitation hospital for the site located at 5000 Chamberlain Lane. The rehabilitation hospital is proposed to have 40 beds in the initial phase, with an additional 20 beds proposed as a future addition. The proposed rehabilitation hospital is a hospital as specified in the Land Development Code. The proposal will not have an adverse effect on neighboring property and is not in conflict with the goals and plan elements of the Comprehensive Plan. Further, the use is essential to and will promote the public health, safety, and general welfare in one or more zones, and complies with the listed standards and requirements. Support for these statements is found in this Statement of Justification.

A single monument sign is planned adjacent to Chamberlain Lane and will not exceed 80 square feet in area and 10 feet in height. The building is more than 30 feet from the property line. The proposed parking will adequately serve the expected needs for the rehabilitation hospital. The site is on a Primary Collector and is within 800 feet of a TARC stop.

The proposed rehabilitation hospital use is consistent with, and complementary to, the other medical facilities in Old Brownsboro Crossing.

Pursuant to the requirements of Land Development Code §§11.5A.1.B the Applicant states as follows:

- 1. The use of the property as described above will conform to the purpose and intent and all other requirements of the Land Development Code.**
- 2. The proposed conditional use permit is consistent with the applicable policies of the Comprehensive Plan.**

COMMUNITY FORM GOAL 1, POLICY 11. The application conforms with Community Form Goal 1, Policy 11 because the building shown on the CUP Plan shall be a minimum of 30 feet from the nearest property line.

COMMUNITY FORM GOAL 1, POLICY 14. The application conforms with Community Form Goal 1, Policy 14 because the proposed signage shown on the CUP Plan is consistent with the signage in Old Brownsboro Crossing.

MOBILITY GOAL 1, POLICY 1.3 & 1.4. The application conforms with Mobility Goal 1, Policies 1.3 & 1.4 because the proposal shown on the CUP Plan shall connect to sidewalks leading to Old Brownsboro Crossing and the surrounding neighborhoods.

No other Goals, Objectives or Policies of the Comprehensive Plan are applicable to this application.

- 3. The proposed use is compatible with surrounding land uses and the general character of the area, including such factors as height, bulk, scale, intensity, traffic, noise, odor, drainage, dust, lighting, appearance, etc.**

The property is located in a Regional Center area known as Old Brownsboro Crossing. Old Brownsboro Crossing consists of medical, commercial, and office spaces. The proposal is compatible with the surrounding area and will not be a source of noise, odor, significant traffic generation, drainage, dust or lighting nuisances.

- 4. All necessary public facilities (both on-site and off-site), such as transportation, sanitation, water, sewer, drainage, emergency services, education, recreation, etc. are available to the site and will be adequate to serve the proposed use.**

Chamberlain Lane is a Primary Collector. The site has access to all required drainage facilities, utilities, and community facilities.

SUMMARY OF NEIGHBORHOOD MEETING
5000 CHAMBERLAIN LANE
CONDITIONAL USE PERMIT
HELD ON MARCH 3, 2021

On Wednesday, March 3, 2021, at 6:30 p.m. Kindred Healthcare (the “Applicant”) hosted a Neighborhood Meeting to explain the proposal for a Conditional Use Permit on the property located at 5000 Chamberlain Lane. The meeting was held virtually via Zoom.

There were approximately 12 guests.

Those present on behalf of the applicant included:

Tanner Nichols, Frost Brown Todd LLC

Jonas Wilson, Frost Brown Todd LLC

Gregory Thomas, Kindred Healthcare, Inc

Adam Crunk, Crunk Engineering LLC

Brian Asa, ESa

Tanner Nichols briefly explained the proposal and application process.

Q: Can the hillside and existing tree canopy be preserved.

A: We will do our best to minimize the impacts to the hillside and trees, while meeting the requirements from Public Works and Planning and Design.

Q: Please do not place illuminated signage on the north or east sides of the building.

A: We will not have illuminated signage on those facades. The public record will contain the lighting plans submitted by our engineers.

Q: Will Chamberlain Lane be widened?

A: We do not intend to widen Chamberlain Lane, other than work necessary for the entrance.

Q: Will the left turn lane into Cobblestone Estates be shortened?

A: No. We will work with Metro Public Works on minimizing the impacts of required improvements.

Q: Will there be significant increases in traffic on Chamberlain Lane?

A: No. This is a low intensity use and will have a secondary entrance into Old Brownsboro Crossing.

Q: Will a red light be installed?

A: No. This does not impact traffic enough to warrant a new light.

Q: Will all storm water will go into the existing retention basin?

A: Yes. The existing regional basin was sized to handle greater development than the currently proposed improvements.

Q: Is the existing retention operating as planned? No overflows or spills?

A: We are not aware of any issues with the basin.

Q: Would it be possible to only have the internal entrance and not the Chamberlain Lane entrance?

A: The address for the site is Chamberlain Lane, and the safest use of the site is with two entrances.

Q: Why are you addressing the site off Chamberlain Lane.

A: MetroSafe determines the addresses for a site.

Q: Will you use "Old Louisville Mix" for the proposed sidewalk?

A: We will certainly investigate that option. If it is a simple color difference, it should be feasible.

Tanner Nichols thanked everyone for coming.

Attendee Report

Report Generated: 3/5/2021 8:56

Topic Kindred CUP Neighborhood 895 8364 2632 Webinar ID Actual Start Time 3/3/2021 18:23 Actual Duration (r # Registered) 65 15

Panelist Details

Attended User Name (Original N Email) Join Time Leave Time
 Yes Tanner Nichols tnichols@fbtlaw.com 3/3/2021 18:27 3/3/2021 19:15
 Yes Jonas Wilson jswilson@fbtlaw.com 3/3/2021 18:25 3/3/2021 19:17

Attendee Details

Attended	User Name (Original N First Name)	Last Name	Email
Yes	David Tomes	Tomes	davidtomes@aol.com
Yes	Hugh Shwab	Shwab	hugh.shwab@gmail.com
Yes	Seth Singleton	Singleton	sethsingleton@gmail.com
Yes	Barbara Kelly	Kelly	elzair@att.net
Yes	Shelly Stazen	Stazen	sneaker1@aol.com
Yes	Adam Crunk	Crunk	adam@crunkeng.com
Yes	Brian Asa - ESa	Asa - ESa	briana@esarch.com
Yes	Daniel O'Gara	O'Gara	daniel.ogara@dinsmore.com
Yes	Alice Gunnison	Gunnison	agunnison@aol.com
Yes	Marsha	Weinstein	mweinst413@gmail.com
Yes	Dale Reavy	Reavy	daleann13@gmail.com
Yes	arnold zegart	zegart	aczegart@aol.com

Other Attended

User Name	Join Time	Leave Time	Time in Session (n Country/Region Name)
15024233716	3/3/2021 18:29	3/3/2021 18:32	4 United States of America
16158564445	3/3/2021 18:27	3/3/2021 19:16	50 United States of America

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