

AN ORDINANCE CHANGING THE ZONE FROM A PLANNED NEIGHBORHOOD RESIDENTIAL (R-3) ZONE, FOR 0.42 NET (0.75 GROSS) ACRE AND FROM A SINGLE FAMILY RESIDENTIAL (R-1C) ZONE, FOR 1.41 NET (1.88 GROSS) ACRES TO A PROFESSIONAL OFFICE (P-1) ZONE, FOR PROPERTIES LOCATED AT 437, 441, 445, 449 AND 453 PARKWAY DRIVE AND 1221 SOUTH BROADWAY (A PORTION OF). (NEW LEXINGTON CLINIC, PSC, COUNCIL DISTRICT 11).

WHEREAS, at a Public Hearing held on July 26, 2018, a petition for a zoning ordinance map amendment for properties located at 437, 441, 445, 449 and 453 Parkway Drive and 1221 South Broadway (a portion of), from a Planned Neighborhood Residential (R-3) zone for 0.42 net (0.75 gross) acre and from a Single Family Residential (R-1C) zone for 1.41 net (1.88 gross) acres to a Professional Office (P-1) zone was presented to the Urban County Planning Commission; said Commission recommending approval of the zone change by a vote of 8-0; and

WHEREAS, this Council agrees with the recommendation of the Planning Commission; and

WHEREAS, the recommendation form of the Planning Commission is attached hereto and incorporated herein by reference.


NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT:


Section 1 - That the Zoning Ordinance of the Lexington-Fayette Urban County Government be amended to show a change in zone for property located at 437, 441, 445, 449 and 453 Parkway Drive and 1221 South Broadway (a portion of), from a Planned Neighborhood Residential (R-3) zone for 0.42 net (0.75 gross) acre and from a Single Family Residential (R-1C) zone for 1.41 net (1.88 gross) acres to a Professional Office (P-1) zone, being more fully described in Exhibit "A" which is attached hereto and incorporated herein by reference.

Section 2 - That the Lexington-Fayette Urban County Planning Commission is directed to show the amendment on the official zone map atlas and to make reference to the number of this Ordinance.

Section 3 - That this Ordinance shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL: September 13, 2018

MAYOR 

ATTEST: 
CLERK OF URBAN COUNTY COUNCIL
Published: September 20, 2018-1t

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437, 441, 445 & 453 Parkway Drive
New Lexington Clinic PSC Property
And 449 Parkway Drive
Jean Isaacs Property
Zone Change from R-1C to P-1
Lexington, Fayette County, Kentucky

A TRACT OR PARCEL OF LAND SITUATED NORTH OF AND ADJACENT TO PARKWAY DRIVE APPROXIMATELY 126 FEET WEST OF THE INTERSECTION OF PARKWAY DRIVE AND SOUTH BROADWAY IN SOUTHWEST LEXINGTON, FAYETTE COUNTY, KENTUCKY AND BEING MORE FULLY DESCRIBED AND BOUNDED AS FOLLOWS:

BEGINNING AT A POINT in the centerline of Parkway Drive, said point also lying in the extended common line of 437 parkway Drive and 1221 South Broadway; Thence with said centerline North 57 degrees 53 minutes 13 seconds West, a distance of 409.82 feet to a point in the extended common line of 543 and 469 Parkway Drive; Thence leaving said centerline and with said common line North 32 degrees 06 minutes 47 seconds East, a distance of 200.00 feet to a point; Thence South 57 degrees 53 minutes 13 seconds East, a distance of 409.82 feet to a point; Thence South 32 degrees 06 minutes 47 seconds West, a distance of 200.00 feet to the **POINT OF BEGINNING** and containing 1.88 acres gross and 1.41 acres net.

1221 South Broadway (a portion of)
New Lexington Clinic PSC Property
Zone Change from R-3 to P-1
Lexington, Fayette County, Kentucky

A TRACT OR PARCEL OF LAND SITUATED WEST OF AND ADJACENT TO SOUTH BROADWAY AT THE INTERSECTION OF PARKWAY DRIVE AND SOUTH BROADWAY IN SOUTHWEST LEXINGTON, FAYETTE COUNTY, KENTUCKY AND BEING MORE FULLY DESCRIBED AND BOUNDED AS FOLLOWS:

BEGINNING AT A POINT being the centerline intersection of South Broadway and Parkway Drive; Thence with the centerline of Parkway Drive North 57 degrees 53 minutes 13 seconds West, a distance of 126.15 feet to a point in the extended common line of 1221 South Broadway and 437 Parkway Drive; Thence leaving said centerline and with said common line North 32 degrees 06 minutes 47 seconds East, a distance of 200.00 feet to a point; Thence South 57 degrees 53 minutes 13 seconds East, a distance of 199.32 feet to a point in the centerline of South Broadway; Thence with said centerline South 52 degrees 12 minutes 25 seconds West, a distance of 212.96 feet to the **POINT OF BEGINNING** and containing 0.75 acres gross and 0.42 acres net.


RECOMMENDATION OF THE
URBAN COUNTY PLANNING COMMISSION
OF LEXINGTON AND FAYETTE COUNTY, KENTUCKY

IN RE: **PLN-MAR-18-00013: NEW LEXINGTON CLINIC, PSC** - petition for a zone map amendment from a Planned Neighborhood Residential (R-3) zone, for 0.42 net (0.75 gross) acre and from a Single Family Residential (R-1C) zone, for 1.41 net (1.88 gross) acres to a Professional Office (P-1) zone, for properties located at 437, 441, 445, 449 and 453 Parkway Drive and 1221 S. Broadway (a portion of). (Council District 11)

Having considered the above matter on **July 26, 2018**, at a Public Hearing, and having voted **8-0** that this Recommendation be submitted to the Lexington-Fayette Urban County Council, the Urban County Planning Commission does hereby recommend **APPROVAL** of this matter for the following reasons:

1. The requested rezoning to a Professional Office (P-1) zone is appropriate, and the existing Single Family Residential (R-1C) and Planned Neighborhood Residential (R-3) zones are no longer appropriate for the following reasons:
 - a. The P-1 zone is compatible with the existing Lexington Clinic and will allow for a uniform redevelopment of the site.
 - b. The expanded P-1 zoning will allow for a consistent redevelopment frontage along South Broadway, disperse traffic by eliminating the front entrance to the clinic on South Broadway and allow the campus to remain in its currently location.
 - c. The existing residential zones are inappropriate because the business and recreational/governmental uses along South Broadway and Parkway Drive have surrounded the subject properties, making residential living uncharacteristic. The existing residential zoning is bound by Parkway Drive, the existing Lexington Clinic medical office zoning and development, and the Division of Parks and Recreation's parking lot for its facilities at the end of Parkway Drive. In addition, a small hotel exists along the south side of Parkway Drive at its intersection with South Broadway.
 - d. The Parkway Drive right-of-way and the existing parking lot are appropriate land use buffers between the remaining residential properties on the opposite side of Parkway Drive and the R-1C zoning associated with the Gay Brewer Jr. golf course.
 - e. The existing vacant residential lot at the corner of Parkway Drive and South Broadway has been underutilized along this urban major arterial corridor for more than 30 years.
2. The requested rezoning is supported by several of the recently adopted 2018 Comprehensive Plan's Goals and Objectives. The proposed zone change associated with the expansion and redevelopment of the Lexington Clinic site with a state-of-the-art healthcare facility will support infill and redevelopment throughout the Urban Service Area as a strategic component of growth (Theme A, Goal #2); support local assets to further the creation of a variety of jobs (Theme C, Goal #1); attract the world's finest jobs [employees] (Theme C, Goal #2); work to achieve an effective and comprehensive transportation network, specially by prioritizing pedestrian-first design (Theme D, Goal #1 and #1a.); and uphold the Urban Service Area concept (Theme E, Goal #1).
3. This recommendation is made subject to the approval and certification of **PLN-MJDP-18-00053: Lexington Clinic (LaBelle Subdivision, Unit 1) (Amd)**, prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission's approval.

ATTEST: This 17th day of August, 2018.


Secretary, Jim Duncan

WILLIAM WILSON
CHAIR

Note: The corollary development plan, PLN-MJDP-18-00053: LEXINGTON CLINIC (LABELLE SUBDIVISION, UNIT 1)(AMD) was approved by the Planning Commission on July 26, 2018 and certified on August 9, 2018.

K.R.S. 100.211(7) requires that the Council take action on this request by October 24, 2018.

At the Public Hearing before the Urban County Planning Commission, this petitioner was represented by **Steve Ruschell, attorney.**

OBJECTORS

- None

OBJECTIONS

- None

VOTES WERE AS FOLLOWS:

- AYES: (8) Bell, Brewer, Forester, Mundy, Owens, Penn, Plumlee, and Wilson
- NAYS: (0)
- ABSENT: (1) Berkley
- ABSTAINED: (0)
- DISQUALIFIED: (0)

Motion for **APPROVAL** of **PLN-MAR-18-00013** carried.

- Enclosures:
- Application
 - Plat
 - Staff Report
 - Applicable excerpts of minutes of above meeting

MAP AMENDMENT REQUEST (MAR) APPLICATION

1. CONTACT INFORMATION (Name, Address, City/State/Zip & Phone No.)

Applicant: NEW LEXINGTON CLINIC, PSC, 1221 S. BROADWAY, LEXINGTON, KY 40504
Owner(s): NEW LEXINGTON CLINIC, PSC, 1221 S. BROADWAY, LEXINGTON, KY 40504 JEAN ISAACS, 449 PARKWAY DR, LEXINGTON, KY 40504
Attorney: Stephen M. Ruschell, Stites & Harbison, PLLC, 250 West Main Street, Ste 2300, Lexington, KY 40507 PH: 859-226-2300

2. ADDRESS OF APPLICANT'S PROPERTY

1221 S. BROADWAY, LEXINGTON, KY (A PORTION OF) 437, 441, 445, 449 & 453 PARKWAY DR, LEXINGTON, KY
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3. ZONING, USE & ACREAGE OF APPLICANT'S PROPERTY

Existing Use		Requested Use		Acreage	
Zoning		Zoning		Net	Gross
R-3	Vacant	P-1	Medical Office	0.42	0.75
R-1C	Residential	P-1	Medical Office	1.41	1.88

4. EXISTING CONDITIONS

a. Are there any existing dwelling units on this property that will be removed if this application is approved?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
b. Have any such dwelling units been present on the subject property in the past 12 months?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
c. Are these units currently occupied by households earning under 40% of the median income? If yes, how many units? If yes, please provide a written statement outlining any efforts to be undertaken to assist those residents in obtaining alternative housing.	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

5. URBAN SERVICES STATUS (Indicate whether existing, or how to be provided)

Roads:	LFUCG
Storm Sewers:	LFUCG
Sanity Sewers:	LFUCG
Refuse Collection:	LFUCG
Utilities:	<input checked="" type="checkbox"/> Electric <input checked="" type="checkbox"/> Gas <input checked="" type="checkbox"/> Water <input checked="" type="checkbox"/> Phone <input checked="" type="checkbox"/> Cable



437, 441, 445 & 453 Parkway Drive
New Lexington Clinic PSC Property
And 449 Parkway Drive
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1221 South Broadway (a portion of)
New Lexington Clinic PSC Property
Zone Change from R-3 to P-1
Lexington, Fayette County, Kentucky

A TRACT OR PARCEL OF LAND SITUATED WEST OF AND ADJACENT TO SOUTH BROADWAY AT THE INTERSECTION OF PARKWAY DRIVE AND SOUTH BROADWAY IN SOUTHWEST LEXINGTON, FAYETTE COUNTY, KENTUCKY AND BEING MORE FULLY DESCRIBED AND BOUNDED AS FOLLOWS:

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June 1, 2018

Stephen M. Ruschell
(859) 226-2317
(859) 269-4136 MOBILE
(859) 425-7998 FAX
sruschell@stites.com

Chairperson William Wilson
Members of the Planning Commission
Lexington-Fayette Urban County Planning Commission
101 East Vine Street
Lexington, KY 40507

RE: Zone Map Amendment Request for Property Located on a portion of 1221 South
Broadway and 435, 441, 445, 449 and 453 Parkway Drive

Dear Chairperson Wilson and Members of the Planning Commission:

We represent New Lexington Clinic, P.S.C. d/b/a Lexington Clinic in connection with this Application for a Zone Map Amendment to Professional Office (P-1) for the above references properties. The property located on a portion of 1221 South Broadway consists of .42 acres net [.75 gross acres] and is currently zoned Planned Neighborhood Residential (R-3). The properties located on Parkway Drive consist of 1.41 acres net [1.88 gross acres] and are currently zoned Single Family Residential (R-1C). This property is located in an Infill and Redevelopment Area as defined in the Zoning Ordinance.

The proposed Professional Office (P-1) zoning request will allow the Applicant to replace the existing six story medical office building located on the adjacent remainder of 1221 South Broadway. The existing Ambulatory Surgery Center constructed in 2003 will remain. Although the existing six story medical office building serves the Lexington Clinic's patients effectively, a redevelopment and expansion of the Lexington Clinic's campus will allow the Applicant to expand and enhance its delivery of the highest quality medical services at this central location.

For nearly 100 years, Lexington Clinic has provided quality care to the people of Lexington, Central Kentucky and beyond. Beginning in 1920, the Lexington Clinic was initially located on the corner of North Upper and Second Street (currently the Gratz Park Inn). In 1959 the Lexington Clinic then moved to its office tower at 1221 South Broadway. The Lexington Clinic currently has over 1,000 employees with more than 200 licensed healthcare providers system wide in 25 specialties, caring for more than 2,000 patients daily and over 600,000 patients annually. If the zone map request is granted, the Applicant will redevelop and construct a state of the art medical office facility to continue the highest quality of medical services at this location for decades to come. The new facility will enable the continued recruitment and employment of the highest caliber of physicians and healthcare providers and staff.

Chairperson William Wilson
June 1, 2018
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The current 97,000 square foot, six story building will be replaced and expanded by a 41,000 square foot two story building at the corner of Gibson Avenue and South Broadway and a 79,000 square foot two story building at the corner of South Broadway and Parkway Drive. The tower will be razed as the two proposed buildings are completed. Travel along South Broadway will be improved as an entrance will be eliminated creating a safer environment for the general public, the Applicant's patients and employees. This project will infuse new energy into the South Broadway corridor for redevelopment.

It is the Applicant's strong preference to remain at this South Broadway location. In the not too distant past, the Lexington Clinic had considered relocating this medical campus to a suburban location including Beaumont Circle which was once owned by the Applicant. Over time, the Lexington Clinic has decided to remain at this location – nearest to major community hospitals and centrally convenient to its patients.

Justification for Rezoning

Over time, the existing R-3 zoning and R-1C zoning have become inappropriate. The R-3 tract is an undeveloped small (.42 acres net) parcel and would be very difficult to develop for apartments and would necessitate a curb-cut on South Broadway or Parkway Drive. The R-1C zoning is surrounded by the Professional Office zoning (P-1) and use of the Applicant to the north, a commercial parking lot used in conjunction with the Urban County's Picadome Golf facility to the west and an Extended Stay hotel to the south located in a Highway Business (B-3) zone across Parkway Drive to the north. Across South Broadway are small commercial parcels with a variety of uses located in a Neighborhood Business Service (B-1) zone. These surrounding zones and uses are generally not considered compatible with single family residences. As the Parkway Drive property owners have decided over time to relocate, they have generally sought out the Lexington Clinic as a purchaser knowing the Lexington Clinic may eventually expand to Parkway Drive.

The proposed zoning is appropriate and is in conformance with the 2018 Comprehensive Plan which provides in its mission statement "to provide flexible yet focused planning guidance to ensure equitable development of our community's resources and infrastructure, enhance our quality of life and foster regional planning and economic development."

Support for this zone change request are throughout the Comprehensive Plan as follows:

- This rezoning will be in support and redevelopment within the Urban Service Area (Theme A, Goal 2);
- Create and continue employment opportunities of a variety of highly skilled jobs for the community (Theme C, Goal 1);

Chairperson William Wilson
June 1, 2018
Page 3

- The applicant attracts regularly some of the nation's top physicians and with the redevelopment and expansion will continue to do so (Theme C, Goal 2);
- Improves transportation along South Broadway by closing its current primary entrance while continuing to encourage its patients and employees to use Lextran (Theme D, Goal 1);
- Uphold the Urban Service Area concept as this zone change will provide for the use of the undeveloped R-3 parcel and the planned redevelopment at this location will keep pressure off the use for additional land within the Urban Service Area (Theme E, Goal 1).

Conditional Zoning

The Applicant seeks the requested rezoning for the sole purpose of incorporating rezoned property into the redevelopment of the adjacent Lexington Clinic campus. With this in mind, the Lexington Clinic agrees to limit the uses allowed in the P-1 zone. A list of the conditional zoning restrictions will prohibit the majority of the uses P-1 zone are attached hereto as Exhibit A.

For the reasons set forth above, your Applicant submits that its Zone Map Amendment is in conformity with the Comprehensive Plan and requests your favorable recommendation.

Very truly yours,

STITES & HARBISON PLLC



Stephen M. Ruschell

SMR:mbt

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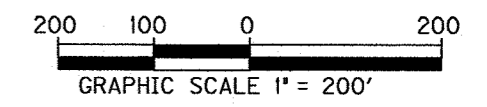
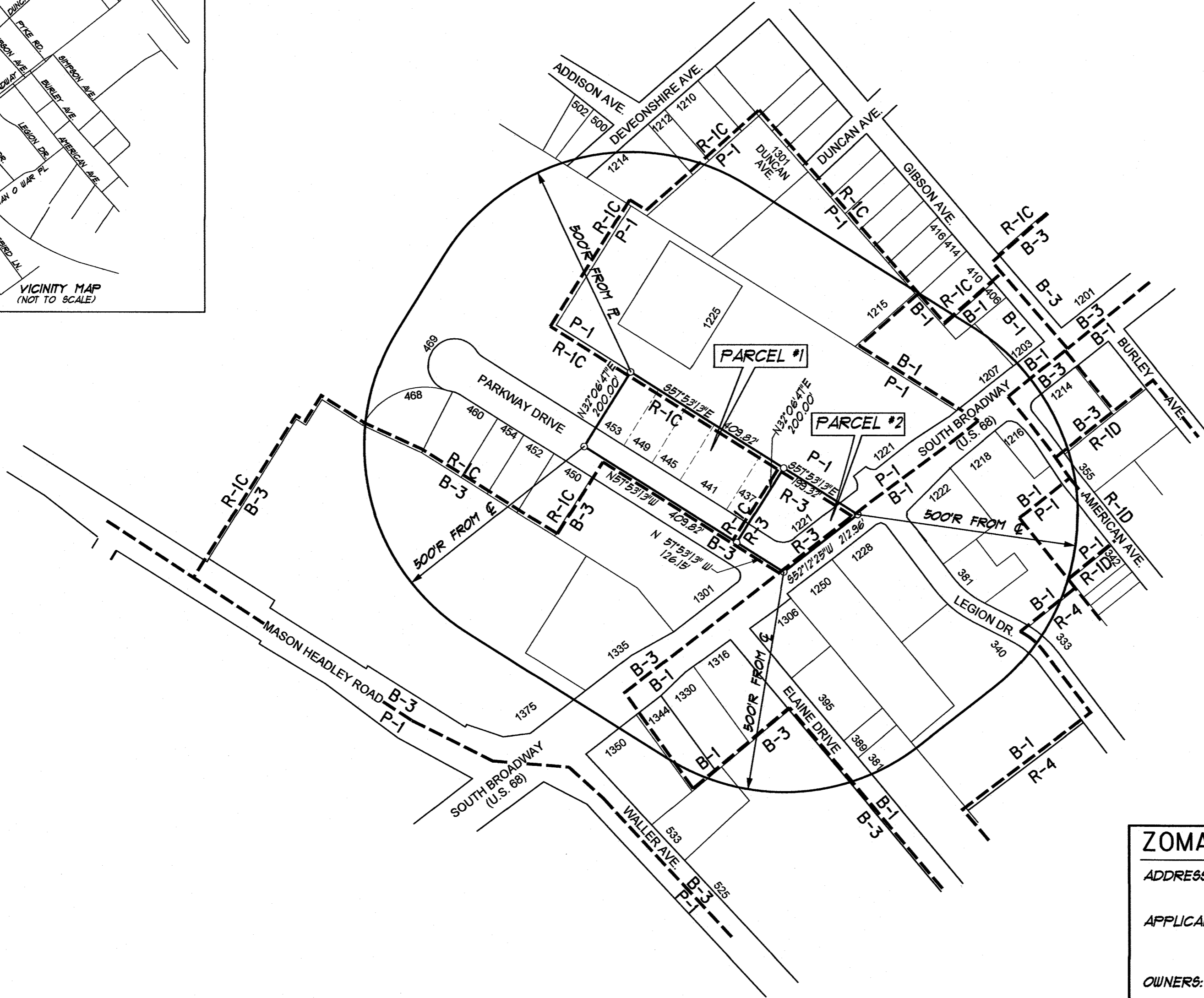
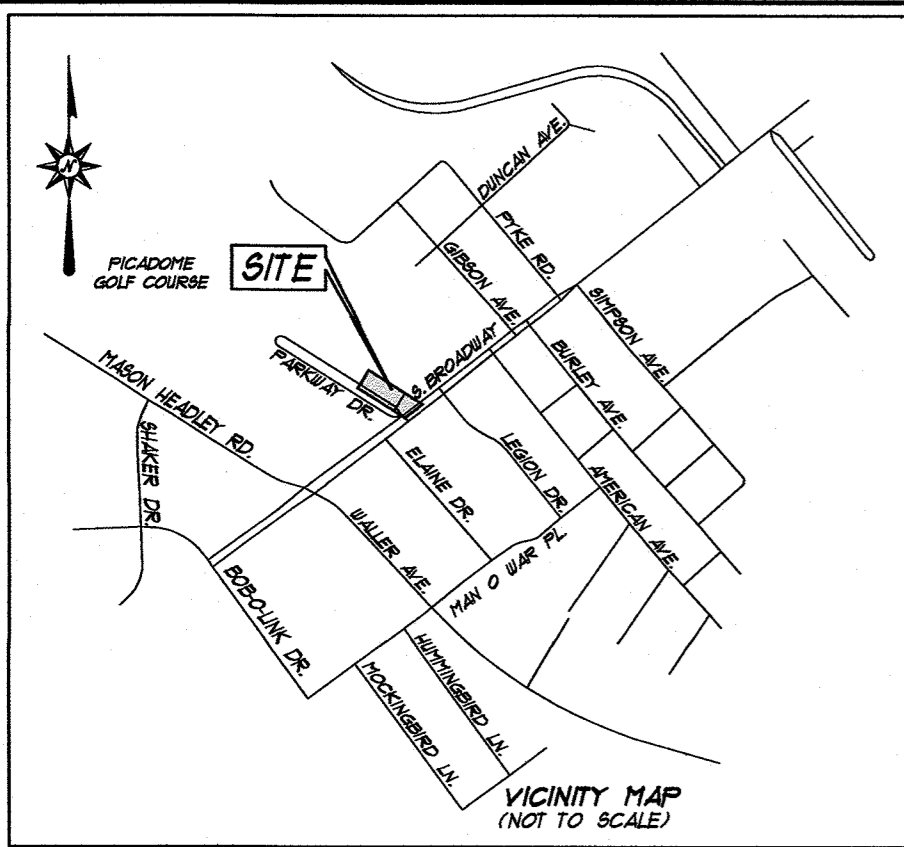
EXHIBIT A

NEW LEXINGTON CLINIC, P.S.C. PROPERTY CONDITIONAL ZONING RESTRICTIONS

THE FOLLOWING USES ARE PROHIBITED:

1. Banks, credit agencies, security and commodity brokers and exchanges, credit institutions, savings and loan companies, holding and investment companies.
2. Libraries, museums, art galleries, and reading rooms.
3. Funeral parlors.
4. Telephone exchanges, radio and television studios.
5. Studios for work or teaching of fine arts, such as photography; music; drama; dance and theater.
6. Community centers and private clubs, churches and Sunday schools.
7. Ticket and travel agencies.
8. Cable and television system signal distribution centers and studios.
9. Kindergartens, nursery schools and child care centers for four (4) or more children. A fenced and screened play area shall be provided, which shall contain not less than twenty-five (25) square feet per child except to serve Applicant's employees.
10. Business colleges, technical or trade schools or institutions.
11. Athletic club facilities.
12. Beauty shops and barber shops.
13. Rehabilitation homes.
14. Adult day care centers.
15. Day Shelters.
16. Offices of veterinarians, animal hospitals.
17. Drive-through facilities for sale of goods or products or the provision of services otherwise permitted hereunder unless used in patient and pharmaceutical use in support of Applicant's services.
18. Parking lots and structures only for benefit of Applicant's business.

19. Mining and non-metallic materials.
20. Rehabilitation homes, when located closer than five hundred (500) feet from a residential zone.
21. Extended-stay hotels, except as permitted in a Professional Office Project.
22. Mail service facilities, except as permitted in a Professional Office Project except for Applicant's business.
23. Ecotourism activities to include equine or zip line trails; tree canopy tours; canoeing and kayaking launch sites; fishing clubs; and seasonal activities.



NOTIFICATION MAP

ZOMAR: NEW LEXINGTON CLINIC PSC									
ADDRESSES:	PORTION OF 1221 S. BROADWAY & 431, 441, 445, 449 & 453 PARKWAY DRIVE								
APPLICANT:	NEW LEXINGTON CLINIC PSC 1221 S. BROADWAY LEXINGTON, KY. 40504								
OWNERS:	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">PORTION OF 1221 S. BROADWAY & 431, 441, 445, & 453 PARKWAY DRIVE</td> <td style="width: 50%;">449 PARKWAY DRIVE:</td> </tr> <tr> <td>NEW LEXINGTON CLINIC PSC</td> <td>JEAN ISAACS</td> </tr> <tr> <td>1221 S. BROADWAY</td> <td>449 PARKWAY DRIVE</td> </tr> <tr> <td>LEXINGTON, KY. 40504</td> <td>LEXINGTON, KY. 40504</td> </tr> </table>	PORTION OF 1221 S. BROADWAY & 431, 441, 445, & 453 PARKWAY DRIVE	449 PARKWAY DRIVE:	NEW LEXINGTON CLINIC PSC	JEAN ISAACS	1221 S. BROADWAY	449 PARKWAY DRIVE	LEXINGTON, KY. 40504	LEXINGTON, KY. 40504
PORTION OF 1221 S. BROADWAY & 431, 441, 445, & 453 PARKWAY DRIVE	449 PARKWAY DRIVE:								
NEW LEXINGTON CLINIC PSC	JEAN ISAACS								
1221 S. BROADWAY	449 PARKWAY DRIVE								
LEXINGTON, KY. 40504	LEXINGTON, KY. 40504								
PREPARED BY:	EA PARTNERS, PLC								
DATE FILED:	JUNE 4, 2018								
EXISTING ZONE:	<p>PARCEL #1: SINGLE FAMILY RESIDENTIAL (R-1C) ZONE</p> <p>PARCEL #2: PLANNED NEIGHBORHOOD RESIDENTIAL (R-3) ZONE</p>								
PROPOSED CHANGE:	<p>PARCEL #1: PROFESSIONAL OFFICE (P-1) ZONE</p> <p>PARCEL #2: PROFESSIONAL OFFICE (P-1) ZONE</p>								
ACREAGE:	<p>PARCEL #1: 1.41 ACRES NET AND 1.88 ACRES GROSS</p> <p>PARCEL #2: 0.42 ACRES NET AND 0.75 ACRES GROSS</p>								

STAFF REPORT ON PETITION FOR ZONE MAP AMENDMENT

PLN-MAR-18-00013: NEW LEXINGTON CLINIC, PSC

DESCRIPTION

Zone Change:	<u>REQUEST</u>		<u>ACREAGE</u>	
	<u>FROM</u>	<u>TO</u>	<u>NET</u>	<u>GROSS</u>
	R-1C	P-1	1.41	1.88
	R-3	P-1	0.42	0.75
	TOTAL		1.83	2.63

Location: 437, 441, 445, 449 & 451 Parkway Drive; and 1221 South Broadway (a portion of)

EXISTING ZONING & LAND USE

<u>Properties</u>	<u>Zoning</u>	<u>Existing Land Use</u>
Subject Properties	R-1C & R-3	Single Family Residences
To North	P-1	Professional Offices & Surgery Center
To East	B-1	Restaurants & Neighborhood Commercial
To South	B-1 & B-3	Neighborhood Commercial & Hotel
To West	R-1C & B-3	Single Family Residences, Parking Lot & Hotel

URBAN SERVICES REPORT

Roads – The site is bounded by South Broadway along its southeastern boundary, by Parkway Drive along its southwestern boundary, and by Gibson Avenue at its eastern corner. The South Broadway/Harrodsburg Road (US 68) corridor is a five-lane major arterial roadway in this vicinity that carries approximately 32,000 daily vehicle trips. Parkway Drive and Gibson Avenue are both local streets that border the Lexington Clinic site. The petitioner is proposing to close their primary entrance along South Broadway, and utilize the two local streets for all access. Gibson Avenue has a traffic signal at its intersection with South Broadway, but Parkway Drive does not.

Curb/Gutter/Sidewalks – South Broadway, Parkway Drive and Gibson Avenue have all been constructed with curb, gutter and sidewalk facilities. Additional sidewalks may need to be installed internal to the site to ensure safe pedestrian connections between buildings on the campus and parking areas.

Storm Sewers – The subject properties are located within the Wolf Run watershed. Storm sewers exist in this portion of the Urban Service Area, and will most likely be adequate to handle the proposed redevelopment at this location. The Vaughn’s Branch tributary, and its associated FEMA special flood hazard area, of Wolf Run Creek crosses the subject site, along its northern edge, and then flows through the Gay Brewer Jr. (Picadome) Golf Course, to the northwest of the site. The Divisions of Engineering and Water Quality will work together to determine if any modifications to the on-site stormwater facilities will be required per the Engineering Stormwater Manuals.

Sanitary Sewers – The subject properties are located within the Wolf Run sewershed, and are served by the Town Branch Wastewater Treatment Facility, which is located on Lisle Industrial Road, just inside of New Circle Road. The Capacity Assurance Program (CAP) indicates that there is approximately 2 million gallons per day (gpd) of available flow capacity within the Wolf Run Pump Station sewer bank.

Refuse – The Urban County Government serves this area with refuse collection on Mondays. However, supplemental service is commonly utilized for commercial and/or medical office land uses, such as those proposed by the petitioner.

Police – The subject properties are located within the West Sector, and are served by the West Sector Roll Call Center, which is located on Old Frankfort Pike, approximately two miles to the northwest of the

subject properties. The downtown Police Headquarters is also in close proximity to the subject site, about 1½ miles to northeast on East Main Street.

Fire/Ambulance – The nearest fire station (#11) is located approximately 1/3 mile to the southwest on Harrodsburg Road, between St. Joseph Hospital and Picadome Elementary School.

Utilities – All utilities, including gas, electric, water, phone, and cable TV are available in the area.

COMPREHENSIVE PLAN AND PROPOSED USE

The 2013 Comprehensive Plan’s mission statement is to “provide flexible planning guidance to ensure that development of our community’s resources and infrastructure preserves our quality of life, and fosters regional planning and economic development.” The mission statement notes that this will be accomplished while protecting the environment, promoting successful, accessible neighborhoods, and preserving the unique Bluegrass landscape that has made Lexington-Fayette County the Horse Capital of the World.

The petitioner proposes to redevelop the Lexington Clinic site, and incorporate several single-family lots that front along Parkway Drive into the professional office development. The six-story medical office structure and a secondary office are proposed to be removed, and replaced with two medical office buildings with 120,000 square feet of space. Additional off-street parking is also proposed on the site.

CASE REVIEW

The petitioner has requested a zone change from a Single Family Residential (R-1C) zone and from a Planned Neighborhood Residential (R-3) zone to a Professional Office (P-1) zone for a total of 1.41 acres of property located along the northeast side of Parkway Drive.

The subject property is comprised of five single-family lots, and a portion of the larger Lexington Clinic property that was a single-family lot prior to about 1980. The land proposed for rezoning is located along the southwestern edge of the existing Lexington Clinic site on South Broadway. The Vaughn’s Branch tributary of Wolf Run Creek runs through the Lexington Clinic site, along its northern boundary.

The South Broadway/Harrodsburg Road corridor is predominantly commercial in nature within the immediate vicinity of the proposed zone change, and includes the following land uses: restaurants, retail establishments, automobile-oriented gas stations and repair shops, and a hotel. St. Joseph Hospital and its associated office park are located south of the Mason Headley Road/Waller Avenue intersection with South Broadway, and an office building (with residential above the first floor) is located directly across South Broadway from the Lexington Clinic. These uses are located primarily within the P-1, B-1, and B-3 zoning categories. The Gay Brewer Jr. Golf Course, historically known as Picadome, and the Division of Parks and Recreation offices are located at the end of Parkway Drive. There are an additional five single-family residences remaining along the southwest side of Parkway Drive, all within the R-1C zone.

The Lexington Clinic is a major healthcare provider in the community, with over 1,000 employees that care for more than 2,000 patients daily and over 600,000 patients annually. The Clinic was originally located in the Gratz Park Inn at N. Upper and Second Street, but moved to their South Broadway location in 1959, after nearly 30 years downtown. The Lexington Clinic site has expanded over time from its original configuration. The Lexington Clinic rezoned the R-3 portion of their property in 1981 in order to expand off-street parking; however, those plans did not move forward, and the site remains an open space that provides a view of the office tower from South Broadway. In 1983, the Clinic rezoned 1215 South Broadway and 1301 Duncan Avenue in order to construct the one-story diagnostics building, add off-street parking and address stormwater issues on the rear of the site. The development that followed converted a neighborhood park (proposed for disposition by the Division of Parks and Recreation at the time) into a developable portion of the Lexington Clinic site. In 2003, a surgery center was constructed to the rear of the site. At this time, the petitioner proposes to demolish the office tower, and the one-story office building, expand the site to Parkway Drive, and construct two new, state-of-the-art medical office buildings to suit the growing healthcare needs of the community.

The 2013 Comprehensive Plan no longer makes a specific land use recommendation for the subject properties, but rather directs the Planning Commission to consider planning policies and the Goals and Objectives of the Plan for guidance when considering zone change requests. The petitioner contends that the rezoning is in agreement with the Goals and Objectives of the 2018 Comprehensive Plan, but does not generally make any reference to the body of the adopted 2013 Plan. The petitioner cites the following newly adopted Goals and Objectives of the 2018 Plan: supporting infill and redevelopment throughout the Urban Service Area as a strategic component of growth (Theme A, Goal #2); support local assets to further the creation of a variety of jobs (Theme C, Goal #1); attract the world's finest jobs [employees] (Theme C, Goal #2); work to achieve an effective and comprehensive transportation network, specially by prioritizing pedestrian-first design (Theme D, Goal #1 and #1a.); and uphold the Urban Service Area concept (Theme E, Goal #1). The petitioner opines that they are meeting these goals and objectives by creating a state-of-the-art healthcare facility that will work to provide a variety of job opportunities and continue to attract top physicians to our community. Additionally, the redevelopment of the site works to uphold the Urban Service Area concept by reducing pressure to expand elsewhere, and potentially improve the transportation network along South Broadway.

The petitioner also contends that the proposed rezoning is appropriate and the existing zoning is inappropriate, in support of their request for the rezoning. First, the proposed zone is appropriate because it is compatible with the adjacent P-1 zoning for the Lexington Clinic and will allow for a uniform redevelopment of the site. Second, the existing residential zones are inappropriate because the business and recreational uses along South Broadway and Parkway Drive have surrounded the subject properties, making residential living uncharacteristic. The existing residential zoning is bound by the right-of-way of Parkway Drive, the existing Lexington Clinic medical office zoning and development, and the Division of Parks and Recreation's parking lot for its facilities at the end of Parkway Drive. If converted to professional office use, the proposed redevelopment will be adequately buffered by the 100-foot wide right-of-way of Parkway Drive (boulevard style), as well as the existing parking lot. The R-3 zoned lot has also been underutilized over the past 30 years as part of the Lexington Clinic site. In addition, the expanded P-1 zoning will allow for a consistent redevelopment frontage along South Broadway, disperse traffic by eliminating the front entrance to the clinic on South Broadway and allow the campus to remain in its currently location.

Lastly, the petitioner has suggested conditional zoning restrictions for the subject property; however, the staff does not believe such restrictions are necessary in this situation. The Professional Office zone is the most restrictive business zoning category, and is often utilized as a buffer between residential land use and higher intensity zones. The existing streets and floodplain provide an adequate land use buffer to the residential neighborhood to the north and west.

The Staff Recommends: **Approval**, for the following reasons:

1. The requested rezoning to a Professional Office (P-1) zone is appropriate, and the existing Single Family Residential (R-1C) and Planned Neighborhood Residential (R-3) zones are no longer appropriate for the following reasons:
 - a. The P-1 zone is compatible with the existing Lexington Clinic and will allow for a uniform redevelopment of the site.
 - b. The expanded P-1 zoning will allow for a consistent redevelopment frontage along South Broadway, disperse traffic by eliminating the front entrance to the clinic on South Broadway and allow the campus to remain in its currently location.
 - c. The existing residential zones are inappropriate because the business and recreational/governmental uses along South Broadway and Parkway Drive have surrounded the subject properties, making residential living uncharacteristic. The existing residential zoning is bound by Parkway Drive, the existing Lexington Clinic medical office zoning and development, and the Division of Parks and Recreation's parking lot for its facilities at the end of Parkway Drive.

In addition, a small hotel exists along the south side of Parkway Drive at its intersection with South Broadway.

- d. The Parkway Drive right-of-way and the existing parking lot are appropriate land use buffers between the remaining residential properties on the opposite side of Parkway Drive and the R-1C zoning associated with the Gay Brewer Jr. golf course.
 - e. The existing vacant residential lot at the corner of Parkway Drive and South Broadway has been underutilized along this urban major arterial corridor for more than 30 years.
2. The requested rezoning is supported by several of the recently adopted 2018 Comprehensive Plan's Goals and Objectives. The proposed zone change associated with the expansion and redevelopment of the Lexington Clinic site with a state-of-the-art healthcare facility will support infill and redevelopment throughout the Urban Service Area as a strategic component of growth (Theme A, Goal #2); support local assets to further the creation of a variety of jobs (Theme C, Goal #1); attract the world's finest jobs [employees] (Theme C, Goal #2); work to achieve an effective and comprehensive transportation network, specially by prioritizing pedestrian-first design (Theme D, Goal #1 and #1a.); and uphold the Urban Service Area concept (Theme E, Goal #1).
 3. This recommendation is made subject to the approval and certification of PLN-MJDP-18-00053: Lexington Clinic (LaBelle Subdivision, Unit 1) (Amd), prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission's approval.

TLW/HB/DW

7/5/18

Planning Services/Staff Reports//MAR/2018/PLN-MAR-18-00013.doc

1. NEW LEXINGTON CLINIC, PSC ZONING MAP AMENDMENT & LEXINGTON CLINIC (LABELLE SUBDIVISION, UNIT 1)(AMD) ZONING DEVELOPMENT PLAN

- a. PLN-MAR-18-00013: NEW LEXINGTON CLINIC, PSC (9/2/18)*- an amended petition for a zone map amendment from a Planned Neighborhood Residential (R-3) zone, for 0.42 net (0.75 gross) acre and from a Single Family Residential (R-1C) zone, for 1.41 net (1.88 gross) acres to a Professional Office (P-1) zone, for properties located at 437, 441, 445, 449 and 453 Parkway Drive and 1221 S. Broadway (a portion of).

COMPREHENSIVE PLAN AND PROPOSED USE

The 2013 Comprehensive Plan's mission statement is to "provide flexible planning guidance to ensure that development of our community's resources and infrastructure preserves our quality of life, and fosters regional planning and economic development." The mission statement notes that this will be accomplished while protecting the environment, promoting successful, accessible neighborhoods, and preserving the unique Bluegrass landscape that has made Lexington-Fayette County the Horse Capital of the World.

The petitioner proposes to redevelop the Lexington Clinic site, and incorporate several single-family lots that front along Parkway Drive into the professional office development. The six-story medical office structure and a secondary office are proposed to be removed, and replaced with two medical office buildings with 120,000 square feet of space. Additional off-street parking is also proposed on the site.

The Zoning Committee Recommended: Approval to the full Commission.

The Staff Recommends: Approval, for the following reasons:

1. The requested rezoning to a Professional Office (P-1) zone is appropriate, and the existing Single Family Residential (R-1C) and Planned Neighborhood Residential (R-3) zones are no longer appropriate for the following reasons:
 - a. The P-1 zone is compatible with the existing Lexington Clinic and will allow for a uniform redevelopment of the site.
 - b. The expanded P-1 zoning will allow for a consistent redevelopment frontage along South Broadway, disperse traffic by eliminating the front entrance to the clinic on South Broadway and allow the campus to remain in its currently location.
 - c. The existing residential zones are inappropriate because the business and recreational/governmental uses along South Broadway and Parkway Drive have surrounded the subject properties, making residential living uncharacteristic. The existing residential zoning is bound by Parkway Drive, the existing Lexington Clinic medical office zoning and development, and the Division of Parks and Recreation's parking lot for its facilities at the end of Parkway Drive. In addition, a small hotel exists along the south side of Parkway Drive at its intersection with South Broadway.
 - d. The Parkway Drive right-of-way and the existing parking lot are appropriate land use buffers between the remaining residential properties on the opposite side of Parkway Drive and the R-1C zoning associated with the Gay Brewer Jr. golf course.
 - e. The existing vacant residential lot at the corner of Parkway Drive and South Broadway has been underutilized along this urban major arterial corridor for more than 30 years.
 2. The requested rezoning is supported by several of the recently adopted 2018 Comprehensive Plan's Goals and Objectives. The proposed zone change associated with the expansion and redevelopment of the Lexington Clinic site with a state-of-the-art healthcare facility will support infill and redevelopment throughout the Urban Service Area as a strategic component of growth (Theme A, Goal #2); support local assets to further the creation of a variety of jobs (Theme C, Goal #1); attract the world's finest jobs [employees] (Theme C, Goal #2); work to achieve an effective and comprehensive transportation network, specially by prioritizing pedestrian-first design (Theme D, Goal #1 and #1a.); and uphold the Urban Service Area concept (Theme E, Goal #1).
 3. This recommendation is made subject to the approval and certification of PLN-MJDP-18-00053: Lexington Clinic (LaBelle Subdivision, Unit 1) (Amd), prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission's approval.
- b. PLN-MJDP-18-00053: LEXINGTON CLINIC (LABELLE SUBDIVISION, UNIT 1)(AMD) (9/2/18)* - located at 1203, 1207, 1215, 1221, & 1225 S. BROADWAY; 406 & 410 GIBSON AVENUE; 1301 DUNCAN AVENUE; AND 437, 441, 445, 449 & 453 PARKWAY DRIVE, LEXINGTON, KY. (Carman)

The Subdivision Committee Recommended: Approval, subject to the following conditions:

1. Provided the Urban County Council rezones the property P-1; otherwise, any Commission action of approval is null and void.
2. Urban County Engineer's acceptance of drainage, storm and sanitary sewers, and floodplain information.
3. Urban County Traffic Engineer's approval of parking, circulation, access, and street cross-sections.
4. Urban Forester's approval of tree inventory map.

* - Denotes date by which Commission must either approve or disapprove request, unless agreed to a longer time by the applicant.

5. Dimension all buildings.
6. Denote Final Record Plat information on plan.
7. Denote existing and any proposed easements.
8. Delete side and rear yard setback lines.
9. Discuss improvements to Harrodsburg Road.
10. Discuss transit stop and shelter.
11. Discuss pedestrian access to exiting & proposed buildings.

Staff Zoning Presentation – Ms. Wade presented the staff report and recommendations for the zone change. She displayed photographs of the subject properties and aerial photographs of the general area. She said that the applicant opined that the application was in agreement with several of the Goals & Objectives from the 2018 Comprehensive Plan, which are: supporting support infill and redevelopment throughout the Urban Service Area; supporting assets to further the creation of a variety of jobs; attracting the world's finest jobs and employees; working to achieve an effective and comprehensive transportation network by specializing pedestrian-first design; and upholding the Urban Service Area concept. She said the staff found that the existing R-1C and R-3 zones are longer appropriate and that the proposed P-1 zone is appropriate.

Ms. Wade said the applicant is proposing this zone change in order to expand the property size for the Lexington Clinic. She said the applicant proposes to remove the current building and a smaller office building located on the site and construct two independent office structures, and off-street parking. She said the petitioner suggested conditional zoning restrictions as part of their application; however the staff doesn't believe they are necessary, since the surrounding commercial/higher intensity zones are already present and the nearby residential zones are over 100 feet away. She said that the staff and the Zoning Committee are recommending approval of this zone change.

Development Plan Presentation – Mr. Martin presented a rendering of the preliminary development plan associated with this zone change. He said the existing surgical center, will remain on the site, but the applicant is proposing two new buildings. He said that one of the buildings will be 79,000 square feet and the other one will be 41,000 square feet. He said the applicant is also constructing 634 parking spaces for this redevelopment. He said that this will be a phased development, because they will continue to use the existing facility as they construct the new buildings. He said that the access on S. Broadway will be closed to traffic, making the access on Parkway Drive and to the traffic signal at Gibson Avenue, the primary access point. He said that there have been discussions regarding improvements on Harrodsburg Road and whether or not another traffic signal will be needed, which will be addressed at the time of the Final Development Plan. He also said that there is a large area of the subject property located within the floodplain and the applicant is proposing some detention areas in that location.

Mr. Martin said there are the standard sign-off conditions, a few clean up conditions and conditions #9, #10, and #11, could be changed to add shall be resolved at the time of the Final Development Plan. He said that there are many transit users in this area, and there already is a transit stop, which will be changed to a transit shelter. He said that the Subdivision Committee did recommend approval of this plan.

Applicant Presentation – Mr. Steve Rochelle, attorney representing the petitioner, said that the applicant is in agreement with the staff's recommendations, including withdrawing the request for conditional zoning restrictions.

Citizen Comment – There were no citizens present to speak to this application.

Commission Question – Ms. Mundy asked the staff if the applicant had met with the residents in this vicinity. Dr. Andy Henderson of Lexington Clinic, said in regards to the neighbors, that one of the homeowners had expired this past spring. He said that he met with three of the homeowners, who were enthusiastic and excited about this proposal. He added that he hasn't met with the last homeowner yet.

Zoning Action – A motion was made by Mr. Forester, seconded by Mr. Brewer, and carried 8-0 (Berkley absent) to approve PLN-MAR-18-00013: NEW LEXINGTON CLINIC, PSC, for the reasons provided by the staff.

Development Plan Action – A motion was made by Mr. Forester, seconded by Mr. Brewer, and carried 8-0 (Berkley absent) to approve PLN-MJDP-18-00053: LEXINGTON CLINIC (LABELLE SUBDIVISION, UNIT 1)(AMD), with the revised conditions provided by the staff as follows:

1. Provided the Urban County Council rezones the property P-1; otherwise, any Commission action of approval is null and void.
2. Urban County Engineer's acceptance of drainage, storm and sanitary sewers, and floodplain information.
3. Urban County Traffic Engineer's approval of parking, circulation, access, and street cross-sections.
4. Urban Forester's approval of tree inventory map.
5. Dimension all buildings.
6. Denote Final Record Plat information on plan.
7. Denote existing and any proposed easements.

8. Delete side and rear yard setback lines.
9. ~~Resolve~~ Discuss improvements to Harrodsburg Road at the time of the Final Development Plan.
10. ~~Resolve~~ Discuss transit stop and shelter at the time of the Final Development Plan.
11. ~~Resolve~~ Discuss pedestrian access to exiting & proposed buildings at the time of the Final Development Plan.

Mr. Ruschell asked if the motion included the withdrawal of the conditional zoning restrictions. Ms. Wade said that the staff didn't recommend including those restrictions, and the Planning Commission approved the staff's recommendations.