

STAFF REPORT ON PETITION FOR ZONE MAP AMENDMENT

PLN-MAR-18-00014: COWGILL PARTNERS LP

DESCRIPTION

Zone Change: From an Agricultural Rural (A-R) zone
To an Economic Development (ED) zone

Acreage: 85.54 net (102.41 gross) acres

Location: 2550 Winchester Road

EXISTING ZONING & LAND USE

<u>Properties</u>	<u>Zoning</u>	<u>Existing Land Use</u>
Subject Property	A-R	Agricultural
To North	R-1A & A-R	Church, School, Public Utilities & Residential
To East	A-R	Agricultural
To South	ED	Agricultural
To West	A-U/P-1/B-6P	Professional Office & Retail Businesses

URBAN SERVICES REPORT

Roads – The subject property is bounded to the west by Interstate 75, to the north by Winchester Road (US 60) and to the east by Polo Club Boulevard. Hume Road, a rural road that parallels the interstate, intersects Winchester Road to the north of the subject property. Winchester Road narrows to a two-lane highway as it proceeds east from the I-75 interchange, just east of its intersection with Polo Club Boulevard. New local streets are proposed to be constructed on the subject property to allow access to the mixture of land uses proposed throughout the development. The subject property will need to provide connectivity to the Baptist Healthcare site to the south, as well as to the east side of the interstate via a proposed underpass. The proposed underpass of the interstate is planned during a future widening of I-75 to reduce local traffic on Winchester Road and Man o’ War Boulevard. Access to the site is proposed from both Winchester Road and Polo Club Boulevard.

Curb/Gutter/Sidewalks – Polo Club Boulevard has been constructed with curb, gutter and sidewalks. All new streets proposed to serve the development of the subject property are required to provide these urban features. Typical urban improvements have not been made to Winchester Road, although such improvements along the subject property’s frontage should be considered.

Storm Sewers – No storm sewers are known to be available to the subject property, although regional stormwater improvements have been constructed to the southwest of the site on the Hamburg East Property. The adopted Engineering Manuals will require the provision of new facilities on parts of the subject property for this purpose. These improvements should mirror the Expansion Area 2 Stormwater Management Plan, which was completed as part of the 1996 Expansion Area Master Plan (EAMP) process.

Sanitary Sewers – Sanitary sewers have been constructed within the area to serve the commercial and residential areas along Polo Club Boulevard to the south of the subject property, near Man o’ War Boulevard. An exaction program has been established for the transmission and treatment of sewage waste from this area of the community to the Town Branch Wastewater Treatment Plant. A 48” sanitary sewer trunk line was constructed along the North Elkhorn Creek to the east of the subject property, and a new Pump Station was constructed to the northeast of the site (across Winchester Road) to serve Expansion Area 2a. However, the subject property does not currently have direct access to sanitary sewers. Sanitary sewer infrastructure will be required to be constructed by the developer at the time of development.

Refuse – Refuse collection to residential properties is provided by the Urban County Government to this portion of the Urban Service Area on Tuesdays. Commercial developments often necessitate supplemental service, which is supplied by private refuse contractors.

Police – The nearest police station to this location is the Central Sector Roll Call Center on Industry Road, near the interchange of Winchester Road and New Circle Road, approximately 2½ miles west of this location.

Fire – The nearest fire station is located two miles to the northwest at the intersection of Eastland Drive and Murray Drive. A new fire station is planned in the Hamburg area, but has not been approved for construction as of yet.

Utilities – Most other utilities are available to this portion of the Urban Service Area, including electric service, telephone, and public water. Streetlights are expected to be provided when the subject property develops, and cable television and/or fiber optic services are also expected to be extended to this site.

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. In addition, the Plan encourages a mixture of uses, housing types and/or residential densities; development in a compatible, compact and contiguous manner; and provision of land for a diverse workforce.

The Implementation chapter of the 2013 Comprehensive Plan also recommends an Expansion Area ED Land Development Study (page 117), that is, a comprehensive assessment of the barriers to development within Economic Development (ED) zone. The Goals and Objectives of the 2018 Comprehensive Plan address Growing Successful Neighborhood (Theme A); Protecting the Environment (Theme B); Creating Job and Prosperity (Theme C); Improving a Desirable Community (Theme D); and Maintaining a Balance between Planning for Urban Uses and Safeguarding Rural Land (Theme E).

The subject property is located within the Expansion Area, more specifically Subarea 2A. The adopted 1996 Expansion Area Master Plan, which continues to be implemented as part of the 2013 Comprehensive Plan, recommends Economic Development (ED) future land use for the subject property. The petitioner proposes to develop this property with a mixture of commercial land uses as well as supportive uses. The petitioner is rezoning the property in order to construct an assisted living and nursing home facility, termed a continuous care retirement community, which is a principal permitted use in the ED zone.

CASE REVIEW

The petitioner has requested a zone change from an Agricultural Rural (A-R) zone to an Economic Development (ED) zone for the southeast quadrant of the Interstate 75 and Winchester Road interchange.

This 85-acre property comprises a portion of Expansion Area 2A, as identified in the 1996 Expansion Area Master Plan. It encompasses about ¼ of the frontage along I-75 between the interchanges at Winchester Road (Exit 110) and Man o’ War Boulevard (Exit 108). The subject property is across I-75 from the Hamburg Community shopping center, and is across Winchester Road from the North Lexington Church of Christ, a Kentucky Utilities sub-station, the Expansion Area 2A Pump Station and a large single-family residential tract (R-1A zoning).

The petitioner is rezoning the property to allow an assisted living and nursing home facility, termed a continuous care retirement community, which is a principal permitted use in the ED zone. The facility encompasses 20 acres of the site, with a proposed 460,000 square feet of building area and 242 living units (370 beds or bedrooms). The site also includes two common space buildings for the shared use of the residents of the facility.

In July 1996, the subject property was added to the Urban Service Area, through adoption of the Expansion Area Master Plan (EAMP) by the Planning Commission. Following the adoption of the Plan, text amendments to the Zoning Ordinance and Land Subdivision Regulations were adopted to ensure that development would comply with the EAMP. The Expansion Area Master Plan effort was undertaken for several years, with much community debate, before finally being adopted in order to bring 5,400 acres of property into the Urban Service Area. The purpose of this planning effort was to ensure a more orderly transition from agricultural to urban land uses, which is consistent with past planning efforts of the Planning Commission.

The Economic Development (ED) zone was created in 1996 to implement the Expansion Area Master Plan's future land use recommendations, and is intended to "provide land within the Expansion Area for employment opportunities compatible with the overall character of development as provided in the Expansion Area Master Plan." The Economic Development zone was recently updated to remove some of the barriers to development that have been in place since Article 23 was adopted to implement the EAMP in 1996 (ZOTA 2016-4: Amendments to the Economic Development Zone). The principal permitted uses in this zone include offices, research centers, manufacturing, and healthcare that typically yield a high rate of employment opportunities. Limited supportive uses such as restaurants, hotels and dwelling units are also permitted to help create a more desirable employment center. The maximum building height and maximum floor area ratio were relaxed to permit a higher intensity of development, which is consistent with the community vision.

The 1996 Expansion Area Master Plan recommends that the subject property be used for Economic Development (ED) purposes, and emphasizes the importance of ED land use near the interstate highway system (pg 42). Further, the 2013 Comprehensive Plan's Goals and Objectives recommend creating prosperity and jobs (Theme C), and more specifically, in Goal #2d. to "foster the success and growth of large employment sectors; protect and provide readily available economic development land to meet the needs for jobs; and enable infill and redevelopment that creates jobs where people live." The Comprehensive Plan also recommends there be a supply of "jobs infrastructure" ready for development in a variety of manners (pg 72), including office, industrial and healthcare, all of which can be accommodated by the proposed Economic Development zone. The Comprehensive Plan encourages providing accessible community facilities and services to meet the health, safety and quality of life need of residents and visitors, alike (Theme D, Goal #2); upholding the Urban Service Area concept to maintain the rural and urban land balance; and encouraging development of underutilized and/or vacant property within the current boundary (both Theme E, Goal #1). Further, the 2018 Comprehensive Plan's Goals and Objectives reinforces several of the same planning ideals with emphasis added to strengthen efforts to develop a variety of jobs that lead to prosperity for all (Theme C, Goal #1) and prioritizing the success and growth of strategically-targeted employment sectors, including healthcare (Theme C, Goal #2).

The petitioner opines that the requested rezoning is in agreement with the adopted 2013 Comprehensive Plan, the recently adopted 2018 Plan's Goals and Objectives, and the 1996 Expansion Area Master Plan. The subject property will allow for at least 80 jobs to be created associated with the continuous care retirement community, and many more that cannot be quantified at this time on the remaining 65 acres of the site. Although the corollary development plan only depicts 20 acres of planned economic development land use, rezoning the entire 85-acre site will allow for the property to be "shovel ready" for future development opportunities as the

infrastructure is constructed to serve the “jobs land” located along the interstate corridor. Additionally, the continuous care retirement community offers a unique opportunity for healthcare-related employment, and the provision of accessible community facilities to meet the needs of the residents of Lexington-Fayette County at the same time. Lastly, the petitioner acknowledges that the EAMP has recommended ED land use for the subject property for over 20 years. For these reasons, the staff agrees that the requested Economic Development (ED) zone is in agreement with the 2013 Comprehensive Plan, the 2018 Comprehensive Plan’s Goals and Objectives, as well as the adopted 1996 Expansion Area Master Plan for the subject property.

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

1. The requested Economic Development (ED) zone is in agreement with the 2013 Comprehensive Plan, the recently adopted 2018 Plan’s Goals and Objectives, and the 1996 Expansion Area Master Plan (EAMP), for the following reasons:
 - a. The EAMP recommends Economic Development (ED) future land use for the subject property, which is the primary employment land use in the Expansion Area. The applicant has requested Economic Development (ED) zoning for the subject property, in agreement with the Plan’s recommendation.
 - b. The 2013 Comprehensive Plan’s Goals and Objectives recommend creating prosperity and jobs (Theme C), and more specifically, to “foster the success and growth of large employment sectors; protect and provide readily available economic development land to meet the needs for jobs; and enable infill and redevelopment that creates jobs where people live” (Goal #2d.). The subject property will allow for potential economic development opportunities with easy access to the interstate corridor within the Lexington-Fayette, as envisioned by the EAMP.
 - c. The 2013 Comprehensive Plan also recommends there be a supply of “jobs infrastructure” ready for development in a variety of manners (pg 72), including office, industrial and healthcare, all of which can be accommodated by the proposed Economic Development zone. The proposed rezoning will allow community services on 20 acres and work to create “shovel ready” economic development land for the remaining 65 acres. Infrastructure will be constructed to serve the immediate area to allow the land to be readily available for future development.
 - d. The proposed rezoning upholds the Urban Service Area concept, and encourages development of underutilized and/or vacant property within the current boundary (Theme E, Goal #1). The subject property was added to the Urban Service Area in 1996, but has remained undeveloped.
 - e. The 2013 Comprehensive Plan encourages providing accessible community facilities and services to meet the health, safety and quality of life need of residents and visitors, alike (Theme D, Goal #2). Additionally, the 2018 Goals and Objectives recommend prioritizing the success and growth of strategically-targeted employment sectors, including healthcare (Theme C, Goal #2). The proposed continuous care retirement community offers a unique opportunity for healthcare-related employment, and the provision of accessible community facilities to meet the needs of the residents of Lexington-Fayette County at the same time.
2. This recommendation is made subject to approval and certification of PLN-MJDP-18-00057: Cowgill Partners, L.P. Property prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission’s approval.