



Planning & Public Safety Committee

May 10, 2016

Summary and Motions

Chair Mossotti called the meeting to order at 1:00 p.m. All committee members were present. Council Members F. Brown and Moloney were also in attendance as non-voting members.

I. Committee Summary

A motion was made by Bledsoe to approve the April 12, 2016 Planning & Public Safety Committee Summary, seconded by Kay. The motion passed without dissent.

II. Body Cameras Update

Assistant Chief Dwayne Holman, Division of Police addressed the issue. He provided a brief history on use of body cameras in the Lexington Police Department. He stated that in 2014 and 2015 the Division tested various cameras. A committee recommended that LFUCG purchase 800 body cameras from Taser International. The agreement with Taser received first reading on April 21 and the 2nd reading should be May 12. The total budget for the five-year contract is \$ 2.6 million.

Holman stated that 400 police officers will utilize the 800 cameras. Holman stated that the agreement was a cloud based solution. He stated that the FY 17 budget proposal included \$ 600,000 for cameras; a Body Worn Camera Administrator; and an Assistant Records Custodian.

Lamb asked about deployment of the cameras. Holman stated that training will start in June and the cameras will be gradually deployed and spread across all shifts throughout the 3 sectors.

Lamb also asked about public education. Holman stated that the Division of Police and Mayor Gray will hold a press conference in June to introduce the cameras to the public. He stated that social media will be used to educate the public as well.

Gibbs asked about the evaluation mechanism used to appraise the value. Holman stated that the evaluation will include review of objective data such as responses, number of incidences of use of force and citizen complaints.

In response to a question from Mossotti, Holman stated that the biggest negative encountered by other jurisdictions is that they moved too quickly on deployment of the cameras. He stated that Police and Public Safety will rely on guidance from Law regarding open records requests and retention of camera video history.

III. Trail System Update

Scott Thompson, Planning provided the update. He addressed the existing projects, funded but not built projects and unfunded projects as well an update on the upcoming Bike/Pedestrian Master Plan.

Thompson stated that Lexington now has almost 100 miles of trail segments, including 50 miles of on-road and another 30 miles of shared use or off-road facilities. He stated that in 2007 Lexington had less than 30 miles of total trail facilities.

Thompson stated that the principles of the Master Plan include connectivity; safety; development of both a capital improvement and maintenance plans; and to increase usage of the system.

Bledsoe stated that when projects are incorporated into repaving or restriping projects the city needs to improve communications with the affected neighborhoods.

Bledsoe also encouraged staff to incorporate the park trail facilities as they are used for commuting purposes as well as for recreation.

Henson discussed bicycle, pedestrian and trail projects recommended within small area plans and how they were programmed and implemented respectively.

In response to a question from F. Brown, Keith Lovan stated that South Elkhorn projects are being held up due to easement negotiations with the University of Kentucky and Norfolk Southern Railroad.

Paulsen agreed with F. Brown that in certain instances sidewalks and trails can be consolidated into the same project.

Akers requested that staff provide a list with map showing the built system in 2007 and in 2016 along with the list of unfunded projects.

Henson asked about trail maintenance. In response Thompson stated that routine trail maintenance was provided by Parks. He also stated that the FY 17 Mayor's Proposed Budget included a line in Streets & Roads budget for Trail Maintenance in the amount of \$ 150,000.

In response to a question from Mossotti Thompson discussed how unfunded projects were prioritized and he explained the scoring matrix utilized. He also discussed the public involvement phase of the planning process.

Mossotti stated that many in the suburbs felt that they were not part of the process as most trail facilities went through the downtown while the suburbs were neglected. She requested the prioritized list of unfunded projects.

IV. Design Excellence

Kay introduced the topic. He reminded the Committee that the Design Excellence subcommittee was formed the Planning & Public Safety Committee in September 2015. He introduced Jeff Fugate who was the chair of the subcommittee.

Fugate stated that the subcommittee identified several intended outcomes including creating a process that is consistent, predictable and transparent; improving communication early in design process; encouraging superior design; encouraging designs to fit sensitively into the existing built environment; and eliminate the Courthouse Area Design Overlay process and its corresponding Board.

Fugate introduced Brandi Peacher the Design Review Officer. She stated that the subcommittee wanted to use existing review authorities rather than create new ones. She stated that the existing Zoning Ordinance and the existing economic development program would be utilized.

Peacher stated that there were several concerns with the original proposal. She stated that the process was viewed as all stick and no carrot; all B-2 zoned properties were required to undergo design review; the creation of the Design Excellence Review Board; and a demolition permit would only be granted by the Board after a building permit was obtained.

Peacher reviewed the boundaries of the B-2 zones.

Peacher summarized the proposed process to obtain a demolition permit; a conventional construction project; and a public supported construction project.

Peacher stated that under the proposal a demolition permit would be obtained from the Board of Architectural Review (BOAR); the BOAR will only review demolition plans, not the designs for new construction. Peacher stated that demolition appeals will be heard by the Council.

Peacher stated that the Design Excellence standards are proposed to be incorporated into the Zoning Ordinance. The standards included quantifiable requirements such as setbacks, height minimum and maximum; placement of surface setbacks; frontage requirements; and streetscape design. She stated that applicants can seek conditional use permits or variances to any requirement from the Board of Adjustment.

Peacher stated that all development projects seeking public support within the B-2 zones would also be required to follow the Design Excellence Guidelines and a design review process in addition to the underlying zoning requirements.

Peacher stated that public support is defined as direct or indirect support such as TIF, land swap, public parking. She stated that this approach links development incentives to design guidelines.

Peacher stated that the design review and public support will be outlined via a master development agreement which will be reviewed and considered by the Council at a public hearing. She stated that the Design Excellence Officer will be authorized to consult, review and approve projects without the need for Board review.

Lamb asked about the demolition appeal process. Duncan responded that the BOAR appeals normally go to the Planning Commission but thought that it would be appropriate for these demolition appeals to go to Council.

In response to a question from Lamb, Tracey Jones with the Law Department explained Council's role in the demolition appeals process. Jones also stated that the change would be reflected in an Amended ZOTA.

In response to a question from Lamb, Peacher stated that the Chief Development Officer would take the lead on any publicly supported project that would need a master development agreement.

In response to a question from Lamb, Fugate described the decision making process used by the subcommittee.

In response to a question from Bledsoe, Fugate described how the subcommittee agreed to have publicly supported projects follow the Design Excellence guidelines.

In response to a question from Henson, Fugate described the types of projects that would have needed to comply with the Design Guidelines if the Design Excellence ZOTA was already enacted.

In response to a question from Henson, Fugate stated that the B-2 zones are the most flexible most permissive zones in the County.

In response to a question from Henson, Peacher described how the Committee arrived at the different maximum and minimum height requirements of structures in the various areas of downtown.

Akers stated that it was good that the subcommittee has proposed a simpler process that had more clarity. In response to a question from Akers, Duncan stated that the Council would only receive demolition appeals.

Akers stated that she felt that there was little development in the Lexington downtown. She stated that current regulations hinder development and that the Design Excellence process would hinder development even further.

In response Fugate stated that other economic factors have slowed downtown development not over regulations.

In response to a question from Lamb, Paulsen stated that the Design Excellence Officer was created, advertised and filled. He stated that the 2nd position was a Development Facilitator and there wasn't reason to attempt to fund, create and fill that position.

In response to a question from Gibbs, Fugate stated that developers wanted a fair and predictable process.

In response to a question from Gibbs, Fugate stated that many cities have some design review component within their development processes.

Kay stated that he was in favor of the proposed changes. He stated that the standards have minimal impact on development. Kay also stated that the guidelines will promote protection of the downtown area.

In response to a question from Mossotti, Fugate described the contractually obligations typical in a master development agreement.

In response to a question from Mossotti, Fugate stated that the subcommittee viewed the publicly supported project requirements in lieu of incentives.

Mossotti asked if there was any known opposition to the change in plans. Fugate responded that they do not know of any organized opposition to the proposals.

On a motion by Kay, second Gibbs to refer the Design Excellence proposal to the Planning Commission. Motion passed the Committee on a vote of 6-4 (Kay, Gibbs, Lamb, Henson, Akers & Mossotti-Yes; Scutchfield, Stinnett, Farmer & Bledsoe-No).

The meeting was adjourned at 2:55 p.m.