



Planning and Public Safety Committee Meeting

July 6, 2021

Summary and Motions

Chair J. Brown called the meeting to order at 1:04 p.m. Committee Members Ellinger, McCurn, Lamb, Kloiber, Baxter, Bledsoe, Reynolds, and Plomin were in attendance. Committee Member Worley was absent. Vice-Mayor Kay and Council Member F. Brown were in attendance as non-voting members.

I. Approval of May 4, 2021 Committee Summary

Motion by Plomin to approve the May 4, 2021 Planning and Public Safety Committee Summary. Seconded by Ellinger. The motion passed without dissent.

II. Residential Parking Permit Program – 500 Block of Fairfield Drive

Council Member Bledsoe provided a brief background to explain how the request for this permit grew out of concern that there is little on street residential parking on this street due to students from nearby schools using the street for parking.

Motion by Bledsoe to approve a Resolution establishing a Residential Parking Permit Program for the 500 block of Fairfield Drive from 7:00 am to 4:00 pm, Monday through Friday between the addresses 528-571. Seconded by Lamb. Motion passed without dissent.

When Ellinger asked if there would be signage on the street to indicate the residential parking, it was confirmed there would be.

III. Amendment to Revise Standards for Street Patterns and Continuity

Jim Duncan, Director of Division of Planning, provided a brief background on the item and Stuart Kearns, Planner Senior in the Division of Planning - Transportation Planning Section, provided the presentation concerning amendments to Article 1 and Article 6 revising patterns for street continuity. He said several of the goals and objectives within the Comprehensive Plan called for patterns for street continuity. He spoke about community engagement sessions that were held which allowed stakeholders to voice concerns and said the amendments were unanimously approved by Planning Commission. He explained the breakdown of street continuity and displayed a map of Harrodsburg Road to illustrate how street patterns have changed over the years. He explained the block length revisions as recommended by the Planning Commission which would change the current requirement from a 1600 FT maximum block length with a minimum of 500 FT to an 800 FT maximum block length with no minimum. He explained that the current standard is that cul-de-sacs should be no longer than 1000 FT, but the Planning Commission recommends they be no longer than 500 FT. He spoke about having one way in and one way out for cul-de-sacs which can have an impact on emergency situations. He closed by mentioning public facility frontage which could have potential impacts such as those associated with access adjacent to a park.

Motion by Bledsoe to allow public comment. Seconded by Reynolds. Motion passed without dissent.

At this time several individuals including attorneys, developers, and constituents brought forward concerns and spoke in opposition of these amendments until the Open Space Zoning Ordinance Text Amendment (ZOTA) comes forward.

Lamb asked when the ZOTA referenced in today's public comment would come forward to the Planning Commission. Chris Woodall, Planning Manager with Division of Planning, explained that the text has been taken to Planning Commission and they are continuing to have public engagement sessions, but there is no Work Session scheduled to bring it forward at this time. Lamb asked how the shorter segments will impact paving costs and Duncan said Traffic Engineering was involved in the discussions, but he is unsure if repaving costs were part of that discussion. Lamb asked if there is "grandfathering" with subdivision regulations or if this would be for developments moving forward and Duncan confirmed that any approved development plan would proceed as it has been approved by the Planning Commission and would not be required to address these changes, but this will be used for future developments moving forward.

Reynolds asked why there is no minimum requirement for block length in the amended version. Duncan explained that when additional requirements are requested, they look for ways to provide relief from other requirements. He added that having no minimum block length requirement and allowing a developer to work with existing topography or existing constraints is an important option. Speaking about current neighborhood blocks that are shorter than the minimum block length, Duncan confirmed that many of those are in older neighborhoods. Reynolds asked about the street continuity requirements between subdivisions provided in all directions at ¼ mile intervals and Kearns explained when a development comes in, that in all directions when possible, there would be a connection to an existing development or a sub-street to provide ease when commuting from one area to another without having to access the main arterial.

Bledsoe spoke about cul-de-sacs which are appealing because, with dead end streets, the idea is that they are safer having less access. Eric Lowe, Assistant Chief with Lexington Police Department, spoke about Safe-by-Design and mentioned design elements that could potentially create a situation that is not safe and he used walkways behind houses as an example of this. Bledsoe asked if Safe-by-Design was taken into consideration when developing the design for more connectivity and Duncan said it was considered from a variety of safety standpoints and we want to continue the conversations with Public Safety.

McCurn expressed concern that Masterson Station is a less walkable neighborhood than Meadowthorpe and asked if there had been studies on the safety of cul-de-sacs compared to street safety. Duncan emphasized this proposal does not remove existing cul-de-sacs or prohibit future ones, but it requires them to be shorter than some of them are now. McCurn asked how many homes the reduction from 1600 FT to 800 FT eliminates and Duncan said today's example showed (2) single family detached homes, but a developer could choose to use a mixed housing option which could be made up in other ways. McCurn expressed concern with the proposal and said the current focus is on affordable housing and having more housing available.

F. Brown said this proposal appears to be reducing housing and asked if infill was compared to the housing situation this subdivision plan would create and added that reducing lots contradicts the infill policy. Duncan said it is a developer's choice when it comes to which type of housing they choose to build to provide housing. He said the Comprehensive Plan and the Planning Commission have stated that each new text amendment or subdivision regulation w grants more permission and more relief to

developers would likely be met with a look at the quality of life. There have been a number of recommendations brought forward from Planning Commission that would provide relief for developers and would create more housing. In response to that, Duncan said, we look at the quality of life which is what we are doing now. F. Brown asked why the development community is not supportive and Duncan explained that the concerns brought forward today were not spoken at Planning Commission hearing. With regard to the cul-de-sac requirement, F. Brown asked if a 600 FT cul-de-sac would need to be shortened to 500 FT. Duncan explained that with every regulation there is a relief option and there would be waiver to the subdivision regulations through the Planning Commission.

Plomin said the reference in the presentation to the increased value in housing is counter-productive to what we are trying to do across the community with affordable housing. She stated that she is not supportive of moving forward on this without looking at the Open Space ZOTA.

Baxter spoke about intersection densities and asked if, at every break in the block, there would be four-way or two-way stops. She said continuity is important, especially from a public safety standpoint, but she expressed concern with having to stop every 600 FT while driving through a neighborhood. She spoke about neighborhood waivers and used the trail going through Beaumont as an example and asked if there is potential for a waiver on a trail versus a neighborhood park. Duncan said it is impossible account for every possible situation that may occur, but it would be something to decide on with developers to see how a public asset can be publicly accessible. Baxter said she can't support this without first reviewing the proposed ZOTA coming forward.

Kay asked if there is a rationale for having (Street Continuity and the Open Space Zota) separated. Duncan said they are being brought forward as they become available and Street Continuity progressed faster while the Open Space ZOTA is still in development. He explained that the two are complimentary, but that does not mean they have to walk together. He said they can stand alone and that is why Street Continuity moved forward rather than waiting for the Open Space ZOTA because this one is a subdivision regulation that could be implemented even though the zoning part is forthcoming. Kay mentioned that this has a number of pieces and asked if these are a package that should be considered up or down or if they can be separated. Duncan emphasized that the two items work together, but either could be pulled out and discussed up or down.

Lamb spoke about her district and the impacts this will have on public safety and traffic when there is already a concern about speeding in neighborhoods. She expressed appreciation for working on these items timely, but she stressed the importance of being able to read things side-by-side when reviewing the Subdivision Regulation and the ZOTA. She added that there are opportunities for us to make areas more accessible and walkable, but we need to be mindful that there are areas where this would not work as well and we need to consider the best way to move forward. She said she would like to wait until this can be considered along with the ZOTA.

Bledsoe spoke about the frontage on neighborhood entries and exits in the area outside of New Circle Road (Palomar, Dogwood Trace, Firebrook, etc.) which takes up green space and asked if that is considered "open space". Duncan said the Open Space ZOTA refers to private open space and streets and access in the subdivision regulations is considered public open space. He said the ZOTA coming forward addresses the private open space requirements. Bledsoe said having more accessibility is nice for traffic because it provides more than one way in and one way out. The challenge is having accessibility, safety, walkability, and access for first responders while also having quiet and calm. She

stressed that this is a tension to be managed rather than a problem to be solved. Moving forward, she suggested a review of Street Continuity and the Open Space ZOTA together because we are looking for affordable places for people to live with lots of options.

J. Brown expressed appreciation for the feedback from committee members and the public and said there are elements to this amendment that he has not heard anyone challenge such as street continuity which is important in neighborhoods. He highlighted that a police presence in a neighborhood with one way in and one way out, could feel like an occupied presence as opposed to a patrolling presence. He mentioned the development community not speaking about this at the Planning Commission hearing and asked if there is a mechanism in place to go back and have this conversation to gather input about issues such as block lengths and cul-de-sac restrictions and those could impact the cost of development. Duncan said input has been received from the development community, but they did not speak to Planning Commission about the concerns brought forward today and said they will continue the conversation with the development community to gather additional input. J. Brown said this would provide the committee with direction moving forward when examining how the Open Space ZOTA is going to impact the subdivision regulation. He said additional input would be helpful to get to some numbers that are understood and will not severely impact the cost of development. He asked if deed restrictions can be more restrictive than the zoning ordinance and Duncan explained that they could limit a person's right to do things. As far as infrastructure design and layout, Duncan said, that is something that could not be overcome by deed restrictions, but would have to be addressed by a waiver to the Planning Commission. He added that a deed restriction typically limits uses or setbacks that are more restrictive than what the ordinance requires. If the question is whether a deed restriction could require a longer cul-de-sac than the ordinance requires, that would not be possible.

While the ZOTA is still in the development process, Lamb asked if an update could be provided at the September or October committee meeting to continue the conversation of this item. She added that this date could be postponed if the ZOTA is not ready at that time. Duncan said an update could be provided to explain where we are in the process and what we expect to be presented to the Planning Commission.

No further comment or action was taken on this item.

IV. Items Referred to Committee

Motion by McCurn to remove *Downtown Traffic Study* item from committee. Seconded by Plomin. Motion passed without dissent.

Motion by Bledsoe to remove the *Residential Parking Permit Program – 500 Block of Fairfield Drive* item from committee. Seconded by McCurn. Motion passed without dissent.

Motion by Plomin to remove the *Commercial Solar Farms* item from committee. Seconded by Ellinger. Motion passed without dissent.

Motion by J. Brown to remove the *5-year Public Safety Plan for Division of Community Corrections* item from committee. Seconded by Bledsoe. Motion passed without dissent.

Motion by J. Brown to remove the *Division of Community Corrections – Jail Concerns* item from committee. Seconded by Bledsoe. Motion passed without dissent.

Motion by Reynolds to remove the *Comprehensive Review of Code Enforcement* item from committee and replacing with an *Annual Review of Code Enforcement*. Seconded by Bledsoe. Motion passed without dissent.

Motion by McCurn to adjourn at 2:29 p.m. Seconded by Plomin. Motion passed without dissent.