

Planning and Public Works Committee

October 16th, 2012

Summary and Motions

CM Bill Farmer chaired the meeting and called it to order at 1:00pm. CM Stinnett attended the meeting as a non-voting member.

1. September 18th, 2012 Summary

Motion by Ellinger to approve the September 18th, 2012 summary. Seconded by Beard. Passed without dissent.

2. Re-Paving Program: Municipal Aid Fund

Stinnett began a discussion on the paving needs in Fayette County. He said that the Council needs to review how they are going to use municipal aid funds going forward. He suggested implementing a long-term road plan.

Kevin Wente said that paving specifications were the initial reason the item was placed into committee.

Henson asked Wente to provide how many roads, in a dollar amount, fall below 65 annually. Wente said that he will look it up and communicate that number with her. Henson asked if they would continue to decrease their deficit as they go forward. Wente said that they can accommodate \$7MM each year so they should see a decrease in the numbers of roads below 65. If this amount of money is allocated each year, the number should continue to go down.

Henson reminded the Council Members that they have a \$27MM deficit currently. She wants to know the amount of money they need to get caught up and stay caught up.

Blues asked if they could count on the MAP money in future years. Stinnett said that the LFUCG averages \$3MM each year. Stinnett reminded Blues that a future Council could decide to pay the bond back out of the General Fund if that was their desire.

Gorton asked Commissioner Jane Driskell how this bond would look in context to the LFUCG's overall bonding capacity. Driskell said that it will add \$1.4MM to \$1.5MM in debt service each year. This payment will come before certain other obligations. Gorton asked if there were debts that would be rolling off anytime soon. Driskell said that the debt service is downward sloping and that there were debts that would be rolling off.

Beard suggested to Wente that they should approach the list from the bottom up instead of from the top down. Wente said that his numbers are a snapshot in time.

Stinnett said that in 2007 the LFUCG completed \$40MM of paving with one contractor. Wente said that it was a combination of the city and the state. Wente said that since the LFUCG only has two inspectors that are state certified, from a management perspective, they can only do a certain amount of paving each year.

Martin asked about Clays Mill Road and what allocating the MAP funds will do to the project. Bob Bayert came to the podium and said that while Clays Mill will require several million dollars of city funds; it has utilized Toll credits thus far. He said that Todds Road will use Toll Credits as well.

Martin said that he has concerns that we are not currently meeting the needs that the city has to contribute to the pension fund and now we are looking to borrow money because they are not keeping up with paving needs. He urged them to look at revenue needs. Martin cautioned against borrowing.

Lawless said that a road can degrade quickly and mentioned a street in her district that did just that.

Kay asked about the Estimated Capital Improvement Plan spreadsheet in the packet. Driskell said they need to do a comprehensive road plan going forward. She took the information from the most recent CIP process what the agency indicated that they spent money on. Bayert said that the chart is intended to illustrate what they could do year after year and what types of funds it would take to do them. Kay said it appeared to be a projection, not a specific plan.

Gorton asked about the ending fund balance. She asked if there were projects that were not completed or if they purposely kept a fund balance. Bayert said that some of what would carry over does represent projects that they anticipated that did not ultimately happen. Gorton asked for examples and Bayert said that he would have to get her a list of projects.

Driskell put a chart on the overhead that illustrated bonding obligations.

Farmer asked Bill O'Mara if they are anticipating any growth. O'Mara said there will be modest growth. O'Mara said that his goal is to have debt be 10% or less of our revenue. If we continue to add, we will be above the 10% threshold until at least 2017.

Driskell mentioned the County Aid money and said that it can be used for paving.

Stinnett said that he thinks they should keep the issue of the use of Municipal Aid Funds in committee. He mentioned that we are using the money for personnel and trails. He said that the LFUCG does not use much of their own money to pave roads.

Martin said that he supports the effort, but he cautioned that the state and federal funds will likely be decreasing in future years.

Driskell said that the rating agencies have affirmed their rating as stable and she does not expect the LFUCG to be downgraded.

Motion by Farmer to approve scenario 2: A \$13M Bond and \$1.5MM per year in paving. Seconded by Beard. Motion passed 8-1. Martin voted nay.

3. Newtown Pike Extension Update

Andrew Grunwald came to the podium to present on the Newtown Pike Extension. He started with Phase 1, redevelopment and mitigation area. He said that Central Bridge was awarded the KYTC contract to reconstruct a portion of the Lower Branch Box Culvert. Construction will begin in October 2012 and will continue into mid to late spring of 2013. On April 5, AU Associates was selected to be the developer for financing and constructing the rental units in the new neighborhood.

Grunwald went on to say that Fitzsimmons Office of Architecture has completed design renovations for the Carver Center. Design plans for the mitigation area are approximately 85% complete. The noise wall along the railroad yard is complete.

Grunwald said that the Community Land Trust is working on its 501C3 application with the IRS. Kay expressed concern regarding the timeline for the 501C3 application. Grunwald said that the IRS is backlogged with applications and said that it is a lengthy process.

Blues said that there are working to keep a fragile neighborhood whole.

Grunwald moved his presentation to Phase 2, Versailles Road to South Broadway. He said that the design plans are 60% complete. The KYTC is proceeding with acquisitions for the 21 "total takes" within Phases II and III. These include Nathaniel Mission and Harry Gordon Steel. Grunwald told Committee members that there have been a series of meetings held with Nathaniel Mission representatives and various scenarios have been investigated. He said that Phase II utility costs are estimated at \$5.4MM and construction costs at \$16.1MM; funds are programmed but not authorized.

Finally, he spoke about Phase III, the Scott Street Connector. He said that the final design has not begun. The utility costs are estimated at \$3.5MM and construction costs at \$8.7MM; funds are programmed for beyond 2014.

4. Article 17-7(E): Permitted Signage in Professional Office and Mixed Use 1 Zones

Martin began his presentation on a Zoning Text Amendment for Permitted Signage in Professional Office and Mixed Use 1 Zones. His proposal would allow a 3rd wall-mounted sign for buildings with two street frontages that are three stories or higher, with the following restrictions:

- The signs must be on different wall faces
- Signs may not face an adjacent residential zone, unless located on a street frontage.

The revision would extend 3rd sign exceptions for “professional office projects” to building with three stories or greater. Martin told committee members that the language was drafted by his Council office in consultation with the LFUCG Planning staff. King came to the podium and said that he was comfortable with the draft.

Martin made a motion to approve the initiation of the ZOTA for Article 17-7 (E) and send it to the full Council. Beard seconded the motion. The motion passed without dissent.

See Attachment A for the ZOTA language

5. Todds Road Widening Update

Bayert was called to speak to provide the Committee members an update on the Todds Road widening project.

Bayert said the project will begin on Todds Road near Andover Forest Drive and will extend 1.6 miles southeast to the future Polo Club intersection just east of the I-75 overpass. The project will widen the existing rural 2-lane section of Todds Road to an urban 2-lane section plus a center turn lane, bike lanes, curb and gutter and sidewalks. The design plans are approximately 60% complete. The funding/reimbursement agreement for the contract modification was recently approved by Council and by KYTC, and the design changes are proceeding.

He told Committee members that it might be necessary to do the project in two sections because of the expenses associated with it. He said that there will be a utility relocation investment of \$2MM and construction costs thereafter. If split, Phase 2A will be from Kimbolton Drive/Cypress Point Way to Andover Forest Drive/Forest Hill Drive and Phase 2B will be from Polo Club Blvd to Kimbolton Drive/Cypress Point Way. Phase 2B will be expedited, as will the completion of Polo Club Blvd, in anticipation of the August, 2015 opening of the new elementary school.

The Right of acquisition process will begin when the design is complete. \$1MM is programmed in the TIP for right of way acquisition.

Construction funding is estimated at \$10MM and is spread between two fiscal years in the TIP. However, SLX fund programming is begin re-examined to see if all of Section 2 may be bid as one project.

Stinnett urged Bayert to look at all costs to complete the project at one time.

6. Items Referred to Committee

Motion by Beard to remove Chapter 4 of UCG Code re: Harboring of Animals from the Committee referral list. Seconded by Gorton. Motion passed without dissent.

Motion by Henson to remove Itinerant Merchant from Committee referral list. Seconded by Ellinger. Motion passed without dissent.

Motion by Martin to remove Article 17-7(E): Permitted signage in Professional Office and Mixed Use Zones from the Committee referral list. Seconded by Henson. Motion passed without dissent.

Motion by Stinnett to remove the Right of Entry and Administrative Warrants from the Committee referral list. Motion passed 8-2. Beard and Martin voted nay.

Motion by Blues to adjourn. Seconded by Gorton. Motion passed without dissent.

Submitted by Jenifer Benningfield, Council Administrative Specialist

DRAFT – 10.11.2012

**17-7(e) PROFESSIONAL OFFICE ZONE (P-1) AND MIXED USE 1:
NEIGHBORHOOD NODE ZONE (MU-1)**

Permitted signs may be either free standing or wall mounted, as specifically noted; signs shall be non-illuminated, indirectly illuminated, or internally illuminated unless otherwise specified. No free-standing sign shall exceed ten (10) feet in height.

- (1) One free-standing Identification or Business sign per building, not to exceed forty (40) square feet in area with a minimum setback of ten (10) feet.
- (2) One wall-mounted identification or business sign for buildings with one street frontage, not to exceed five percent (5%) of the wall area to which it is attached. When a free-standing sign is not utilized on a lot with only one street frontage, a second wall-mounted sign on a different building face shall be permitted as regulated above in place of the permitted free-standing sign.
- (3) Two wall-mounted identification or business signs for buildings with two street frontages, located on separate wall faces, not to exceed five percent (5%) of the wall area to which the sign is attached.
- (4) Three wall-mounted identification or business signs, for buildings three (3) stories or taller with two street frontages, located on separate wall faces, not to exceed five percent (5%) of the wall area to which the sign is attached. Signs not located on a street frontage shall not be placed on a building face directly adjacent to any residential zone.
- (5) One nameplate per tenant or lessee, not exceeding two (2) square feet in area; non-illuminated or indirectly illuminated only.
- (6) Informational signs, not exceeding twenty (20) square feet. Such signs shall be included in the computation for maximum square footage specified under 17-7(e)(1) above, and shall be free standing only when included as a part of a permitted free-standing identification sign.
- (7) Directional signs not exceeding three (3) square feet in area; not exceeding three (3) feet in height if free standing; not to exceed two (2) signs per entrance.
- (8) One attraction board, wall mounted or attached to the permitted free-standing identification sign, the area of the attraction board to be included in the maximum permitted sign area.
- (9) Canopy or awning signs, limited to fifteen percent (15%) of the area of the surface to which they are attached. Such signs shall be included in the computation of the maximum permitted sign area specified under 17-7(e)(1) above.

- (10) In addition, and within a designated Professional Office Project only:
- (a) One project identification sign, free standing or wall mounted; not exceeding one hundred (100) square feet in area.
 - (b) One identification sign, wall mounted; not exceeding fifteen (15) square feet in area for a restaurant, cocktail lounge or night club
 - (c) Project entrance identification signs of permanent construction, free standing or wall-mounted; not exceeding thirty-two (32) square feet in area;; not exceeding eight (8) feet in height; and no more than two per entrance. Such signs may be located in the right-of-way (in the median or at each side of the street), subject to written authorization of the Commissioner of Public Works, who shall determine that the signs would not be located in the sight triangle and would not cause a hazard to traffic. Proof of permanent maintenance and an encroachment permit shall be provided by the applicant prior to the issuance of a permit for a subdivision entrance identification sign located in the right-of-way.
 - (d) A third wall-mounted identification or business sign shall be allowed for buildings with two street frontages. Such sign shall be located on a separate wall face of the building not already displaying a wall-mounted sign, not to exceed five percent (5%) of the wall area to which it is attached.