



Lexington-Fayette Urban County Council

TO: Mayor Jim Gray
Urban County Council
Sally Hamilton

FROM: Paul Schoninger
Research Analyst

DATE: December 17, 2015

SUBJECT: Request Council Authorization to Convert Wickliffe Street to One-Way

Request

This is to request Council authorization to convert Wickliffe Street to one-way traffic. Wickliffe Street is located between North Martin Luther King Blvd and Spruce Street (map attached).

Why are you requesting?

In a December 2 memo Traffic Engineering indicated that the street is not safe for two-way traffic due to its width. The memo also stated that conversion to one-way does not negatively impact traffic patterns in the area (attached).

A private developer Urban 221 LLC proposed the one-way option to the Board of Adjustment BOA as part of a front and side yard variance request. The Urban 221 LLC project received the necessary variance from the Board at its November meeting (attached). As the BOA did not have any jurisdiction over the one-way proposal, Urban 221 LLC requested Council consider and approve their request.

What is the cost in this budget year and future budget years?

\$ 500 this budget year

\$ 0 in future years

1101-303602-3604-75101

If you have any questions please do not hesitate to contact this office.

Paul Schoninger
Research Analyst

c: Dowell Hoskins-Squier
James Brown, Councilmember 1st District



Lexington-Fayette Urban County Council

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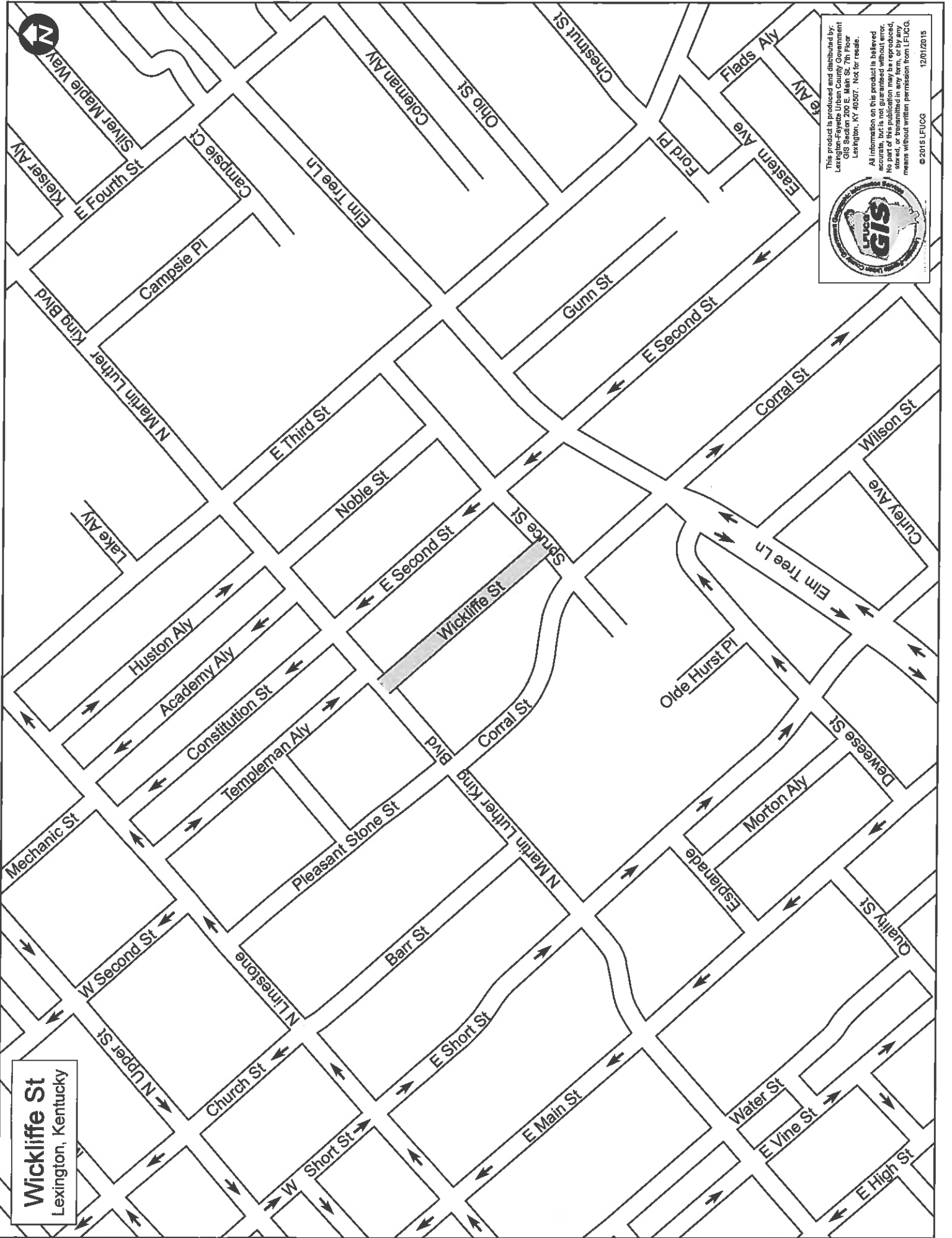
In a December 2 memo Traffic Engineering indicated that the street is not safe for two-way traffic due to its width. The memo also stated that conversion to one-way does not negatively impact traffic patterns in the area (attached).

It is my understanding that Urban 221 LLC, proposed the one-way option to the Board of Adjustment BOA as part of a front and side yard variance request. The Urban 221 LLC project received the necessary variance from the Board at its November meeting (attached). As the BOA did not have any jurisdiction over the one-way proposal, Urban 221 LLC requested Council consider and approve their request.

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c: Dowell Hoskins-Squier
James Brown, Councilmember 1st District



Wickliffe St
Lexington, Kentucky



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Lexington-Fayette Urban County Government
DEPARTMENT OF ENVIRONMENTAL QUALITY & PUBLIC WORKS

Jim Gray
Mayor

David Holmes
Commissioner

MEMORANDUM

TO: Dowell Hoskins-Squier, Director, Division of Traffic Engineering

FROM: Casey Kaucher, Traffic Engineer Sr., Division of Traffic Engineering *CMK*

DATE: December 2, 2015

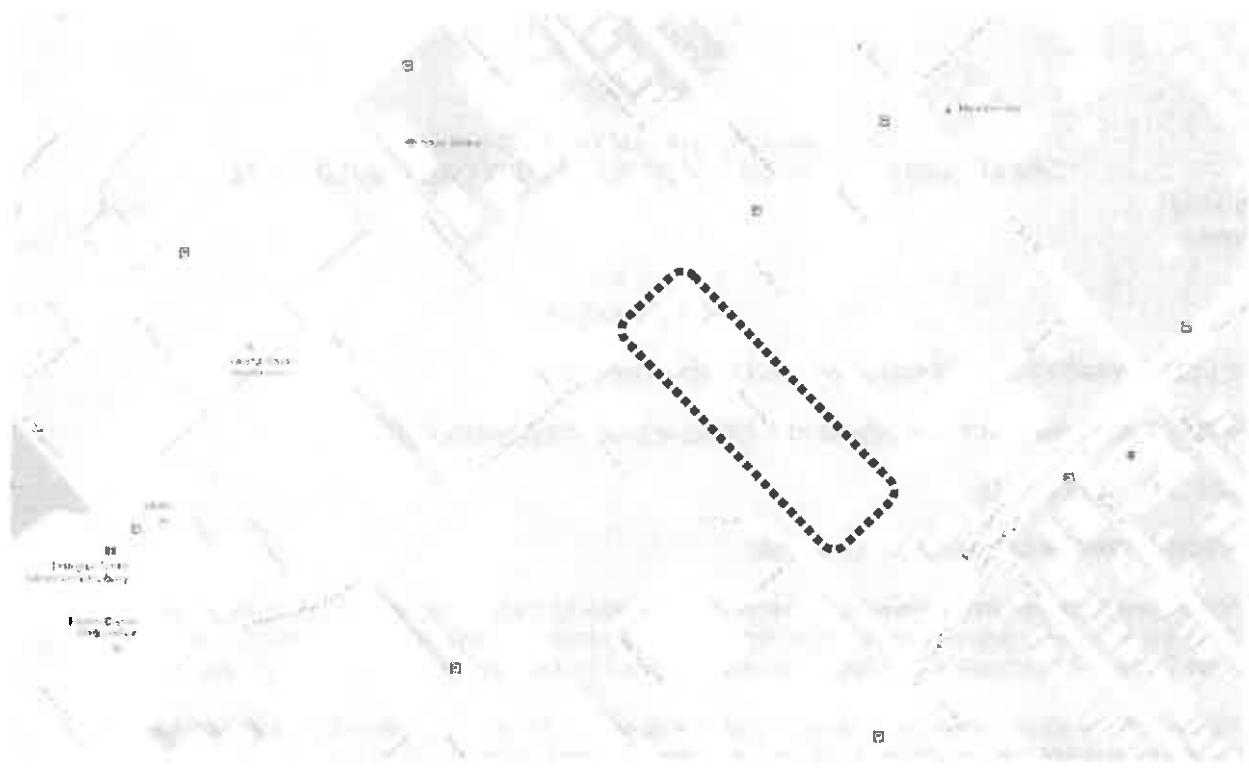
SUBJECT: Wickliffe Street One-Way Request

Traffic Engineering staff has reviewed the request from Urban 221, LLC to convert vehicular travel on Wickliffe Street from two-way to one-way operations. Wickliffe Street is located between North Martin Luther King Blvd and Spruce Street. The proposal is to designate one-way travel from west to east (or from MLK to Spruce St.).

Wickliffe Street is approximately 550 feet long and 16 feet wide. Although it is classified as a local street, it currently functions as an alley to serve the adjacent property owners. Due to limited width, it is not safe for two-way operations. Additionally, due to the short length of the street, conversion to one-way does not negatively impact traffic patterns in the area.

Traffic Engineering does not oppose the request convert Wickliffe Street to one-way operations.





JACOB C. WALBOURN
jwalbourn@mmlk.com



201 EAST MAIN STREET, SUITE 900
LEXINGTON, KY 40507
859.231.8780 EXT. 102

November 17, 2015

Dowell Hoskins-Squier
101 East Vine Street, Suite 300
Lexington, KY 40507

Re: One-way Street Request – Wickliffe Street

Dear Ms. Hoskins-Squier:

Please be advised that I represent Urban 221 LLC. Urban 221 is in the process of developing an exciting new residential development that will occupy the block approximately bounded by Corral Street, Martin Luther King Boulevard, Wickliffe Street, and Spruce Street in downtown Lexington. This development is presently under review by the LFUCG Planning Commission and the LFUCG Board of Adjustment, with hearings before both bodies to occur this week.

During the course of reviewing this plan with LFUCG Planning Staff and LFUCG Traffic Engineering staff, the need for certain street and pedestrian improvements in the area have been discussed. The use and status of Wickliffe Street has been a part of those discussions. Wickliffe has been described as a “small street” or a “large alley” and runs from MLK to Spruce. The pavement is approximately 16’ wide. Per conversations with the LFUCG Division of Historic Preservation, Wickliffe has historically served as service access for properties fronting on Second Street.

My client is interested in petitioning the Urban County Council to limit Wickliffe Street to one-way traffic, west to east (or from MLK to Spruce). I inquired with Paul Schoninger, who is aide to the Urban County Council’s Planning and Public Safety Committee. He advised that any request would necessarily require Traffic Engineering to review the proposal, and that once Traffic Engineering had done its due diligence that the request would then come before the Council for consideration.

Accordingly, please accept this letter as our request that the Division of Traffic Engineering initiate review of a proposal to limit Wickliffe Street to one way traffic from west to east. I would, of course, be happy to assist in any way possible to expedite your review, so please do not hesitate to contact me if I can be of service or you have any questions. We thank you, in advance, for your consideration of this request.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Walbourn', written in a cursive style.

Jacob C. Walbourn
Counsel for Urban 221, LLC

BOARD OF ADJUSTMENT STAFF CASE REPORT

V-2015-66; URBAN 221, LLC - appeals for variances to reduce the required front yard from 10 feet to 0 feet and to reduce the ground level open space requirement from 2% to 0% in a Downtown Frame Business (B-2A) zone, at 211 & 221 Corral Street; 166, 170, 174, 178 & 180 N. Martin Luther King; 212, 214, 216, 218 & 220 Wickliffe Street & the former Barkley Street right-of-way (Council District 1).

Existing Zoning and Land Use

<u>Properties</u>	<u>Zoning</u>	<u>Existing Land Use</u>
Subject	B-2A	Commercial, Vacant, Parking
North	B-2A/H-1	Sayre School
South	B-2A	Commercial
East	B-2A	Commercial
West	B-2A	Commercial

Zoning Ordinance

Article 8-18(h) requires a minimum front yard of 10' in the Downtown Frame Business (B-2A) zone.

Article 8-18(i) requires a minimum side street side yard of 10' in the Downtown Frame Business (B-2A) zone.

Article 8-18(m) requires ground floor open space between the building and the right-of-way to be a minimum of 1% of the lot area for every floor above 3 floors.

Article 15-7(d) encourages the Board of Adjustment to give special consideration to variances within the defined Infill & Redevelopment Area, provided that the variances will be in context and compatible with the surrounding neighborhood.

Case Review

The appellant is requesting setback variances on three streets and a variance to the required ground floor open space in order to construct an urban infill apartment building on several lots that comprise most of a city block. The property is bounded by North Martin Luther King Boulevard, to the west, to the north by Wickliffe Avenue and to the south by Corral Street. A related development plan, DP-2015-111: Urban 221 (a portion of) has been filed, and is pending Planning Commission approval, in order to increase the allowable height of the structure from 3 stories to 5 stories.

The proposed 5-story "podium" apartment building will have four stories of residential units atop a first-floor parking garage, and amenities for the residents, such as an exercise room; bike lockers; and a pet day care. It is proposed to have a single point of entry, for both vehicles and pedestrians, on Corral Street. The majority of the available parking will be in the garage, with a small surface parking lot located along Corral Street. Although the exact configuration of the parking layout inside the building is not finalized, the applicant will have approximately one parking space per unit, which is greater than the minimum requirement of one parking space for every four dwellings in the B-2A zone.

In order to design the building to the maximum footprint on the block, the applicant has requested setback variances from 10' to 0' along all three of the street frontages. An additional variance was requested to the ground floor open space, which is required in the B-2A zone when a building exceeds 3 stories. To clarify, the open space variance is not the normally required useable open space for the residents (which this development will easily meet); but is limited only to the ground floor open space between the building and the right-of-way, which is required because of the proposed 5 stories.

The applicant has shared some concepts of the type of building and development being proposed, but has not yet filed any of the concept elevations because they have not yet begun the design phase for the proposed development's specific architecture. They have stated that they are requesting approval of the variances (and the height), prior to making the significant investment in designing the building. The B-2A zone allows a great amount of flexibility in use and design, and the applicant has stated that they plan to build an "architecturally significant building;" therefore, it should be possible to grant approval of some variances subject to performance standards that will ensure that the project is an asset to the pedestrian and built environment in this area. The newly hired Design Excellence Officer in the Division of Planning will be able to provide guidance on the design elements, should the requested variances be approved.

Although the variance requested is the same for each of the three street frontages, after reviewing the application with the Bike and Pedestrian Planner, the recommended sidewalk widths will be different on each of these three streets, frontages; therefore, staff is recommending (through the conditions of approval) a different setback for each street. In general, staff is supportive of a 0' setback for the 2nd story and above, provided there will pedestrian-friendly accommodations made on

the first floor and that at no point will the building be in any regulatory sight triangle. The provision of an inviting pedestrian experience along the ground floor is fundamental to the staff's recommendation of approval of the requested variances. A 4'- wide sidewalk is completely inadequate for pedestrian safety and comfort when the building is less than 10' from the street right-of-way.

The most prominent street frontage is North Martin Luther King Boulevard. It is recommended that on this street, the minimum pedestrian sidewalk width be 8' and that the buildings be designed to be located outside of all the required sight triangles. At the second story and above, the setback should be allowed at the right-of-way. Furthermore, it is recommended that architectural details, in combination with landscaping or other similar treatment, be developed along this frontage in order to encourage a safe and inviting pedestrian experience along this major corridor. Instead of requiring a specific detailed design at this time, it is recommended that the Design Excellence Officer review and sign off on the final designs proposed by the applicant's architect prior to construction.

Corral Street has a similar recommendation, with a pedestrian sidewalk width of 6'. The recommendations related to sight triangles and design details on N. Martin Luther King should also apply to Corral Street, which will serve as the primary entrance for the apartment building.

Wickliffe Avenue is different than the other two streets; it is best described as either a narrow street or a wide alley. Although considered a public street, it functions similarly to an alley, primarily providing frontage to the rear of lots facing E. Second Street. The applicant proposes that this street would best serve the community if it were to become a one-way alley, leading away from N. Martin Luther King toward Spruce Street. Although staff agrees that the proposed street configuration has merit, it will require action by the Urban County Council to make these changes to the street system.

The status of Wickliffe Avenue, especially the one-way provision, has a major impact on the review of the requested setback variance along this street. Provided that the Council agrees and changes the street system, the requested variance is appropriate and will not have an adverse impact on the subject or surrounding properties. If they do not agree, and the street is to remain as a two-way street, not only does that bring into question the appropriateness of the requested variance, but also whether or not street widening and other street improvements should be required as a part of this project. Along this frontage, and at the corner of N. Martin Luther King Boulevard and Wickliffe Avenue, staff recommends a provisional approval of the requested setback variance. It should also be noted that the Planning Commission may require improvements to Wickliffe Avenue as a part of the development plan approval, in which case the variance recommendation for this street frontage would also be affected.

Although somewhat out of the ordinary, provisional approvals as recommended on the Wickliffe frontage have been used before, most frequently when a development proposal requires both Board action and Planning Commission action. In this case, the proposed development also requires Urban County Council action on the street system. Approval from all three bodies is required, but the order in which the approvals are granted is not as important as the substance and outcome. Urban Infill projects such as this are more complicated than typical development of a greenfield (an undeveloped area) and often require multiple approvals from several entities, both within the government and from private utility companies.

The final variance that was requested was to the ground floor open space. Based on the size of this project, about 1,400 square feet of ground floor open space would be required to meet the 2% requirement. Provided the applicant agrees to provide the pedestrian accommodations as recommended along North Martin Luther King Boulevard and Corral Street, the ground floor open space will be met. As such, the staff recommends that the applicant withdraw this variance request.

The Staff Recommends: Withdrawal of the ground floor open space variance, for the following reason:

- a. The detailed recommendation for an increased pedestrian walkway, which is integral to the recommendation of approval of the setback variances, negates the need for the ground floor open space variance; as this requirement will be met.

The Staff Recommends: Approval of the front yard and side street side yard variances, for the following reasons:

- a. Approving the requested variances for the street setback for the second story and above in this project will not have a negative impact on the public health, safety or welfare, nor will it have a negative impact on the overall character of the neighborhood. Many properties in this vicinity were built with less than 10' setbacks, prior to the current zoning requirements. Provided that a safe and inviting pedestrian walkway is provided at the ground level, and that the building will not be in any required sight triangles, a front yard setback on the ground level is appropriate.
- b. Granting the requested variances will not result in an unreasonable circumvention of the Zoning Ordinance, as the B-2A zone allows a great amount of flexibility in use and design in the downtown area. Granting a modest setback variance on the first floor that will still accommodate pedestrians will be similar to other downtown developments and will meet the intent of the Zoning Ordinance.
- c. The scope of this project, being almost an entire city block, the applicant's proposal to build an "architecturally significant building," and the urban context of the surrounding area, in combination created a unique circumstance

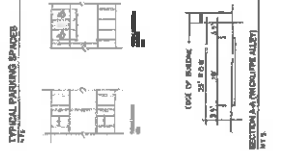
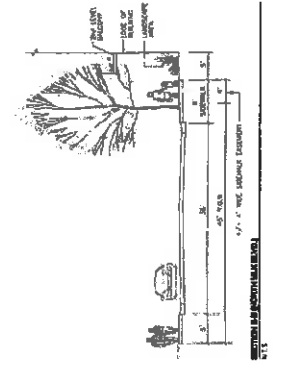
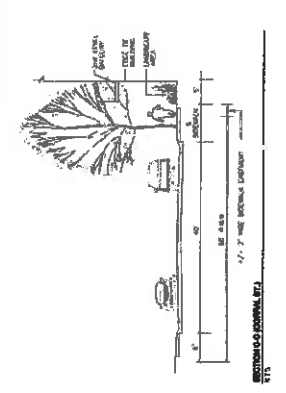
that justifies the requested setback variances.

- d. The requested variances are not the result of any willful violation of the Zoning Ordinance but are, rather, are a reasonable response to the overall built environment surrounding the site.

This recommendation of approval is made subject to the following conditions:

1. The property shall be developed in accordance with the submitted application and site plan, or as amended by the Planning Commission on a final development plan. Minor modifications, if required, by the Divisions of Engineering, Traffic Engineering, Solid Waste and Fire & Emergency Services shall be permitted.
2. A Zoning Compliance Permit and a Building Permit shall be obtained by the applicant prior to construction. Additionally, a Certificate of Occupancy will be required once construction is complete.
3. The setback variance along N. Martin Luther King Boulevard shall be to 0' for the second story and above. The ground floor variance will be to the minimum necessary to provide an 8' wide pedestrian sidewalk (including any combination of architectural details and landscaping or other design elements as agreed to by the Bike and Pedestrian Planner and the Design Excellence Officer in the Division of Planning), in order to create a safe and inviting pedestrian walkway. At no point shall the building be allowed in any required sight triangles.
4. The setback variance along Corral Street shall be to 0' for the second story and above. The ground floor variance will be to the minimum necessary to provide a 6' wide pedestrian sidewalk (including any combination of architectural details and landscaping or other design elements as agreed to by the Bike and Pedestrian Planner and the Design Excellence Officer in the Division of Planning) in order to create a safe and inviting pedestrian walkway. At no point shall the building be allowed in any required sight triangles, including those at the entrance/exit to the parking garage.
5. Provided the Urban County Council allows Wickliffe Avenue to become a one-way alley, the setback from the right-of-way may be reduced to 0'. Should the Urban County Council not change the status of Wickliffe Avenue to a one-way alley, any variance request along this street frontage, and including the necessary setbacks for a sight triangle at the intersection of Wickliffe Avenue and N. Martin Luther King Boulevard, shall be considered null & void.

JWE/BJR/WLS
11/13/15
C 2015-66 Urban 221.docx



GENERAL NOTES:

1. ALL DIMENSIONS UNLESS OTHERWISE NOTED ARE IN FEET AND INCHES.
2. CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODE (IBC) AND THE INTERNATIONAL PLUMBING AND MECHANICAL CODE (IMC).
3. ALL UTILITIES SHALL BE DEPTH MARKED AND PROTECTED.
4. ALL NEIGHBORING PROPERTIES SHALL BE RESEARCHED FOR ALL UTILITIES AND THE RESULTS OF SUCH RESEARCH SHALL BE SHOWN ON THIS PLAN.
5. THE PROPOSED WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODE (IBC) AND THE INTERNATIONAL PLUMBING AND MECHANICAL CODE (IMC).
6. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODE (IBC) AND THE INTERNATIONAL PLUMBING AND MECHANICAL CODE (IMC).
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EXISTING UTILITIES:

- 1. ALL UTILITIES SHALL BE DEPTH MARKED AND PROTECTED.
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CONSTRUCTION SPECIFICATIONS:

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SUBMITTAL REQUIREMENTS:

- 1. ALL SUBMITTALS SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODE (IBC) AND THE INTERNATIONAL PLUMBING AND MECHANICAL CODE (IMC).
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PERMITS AND APPROVALS:

- 1. ALL PERMITS SHALL BE OBTAINED BEFORE COMMENCING WORK.
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ADDITIONAL NOTES:

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KEY:

- 1. EXISTING SIDEWALK
- 2. PROPOSED SIDEWALK
- 3. EXISTING PARKING
- 4. PROPOSED PARKING
- 5. EXISTING DRIVEWAY
- 6. PROPOSED DRIVEWAY
- 7. EXISTING DRIVE
- 8. PROPOSED DRIVE
- 9. EXISTING BIKE LANE
- 10. PROPOSED BIKE LANE

TREE PROTECTION STATISTICS:

- 1. ALL TREES SHALL BE PROTECTED AND MAINTAINED.
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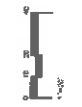
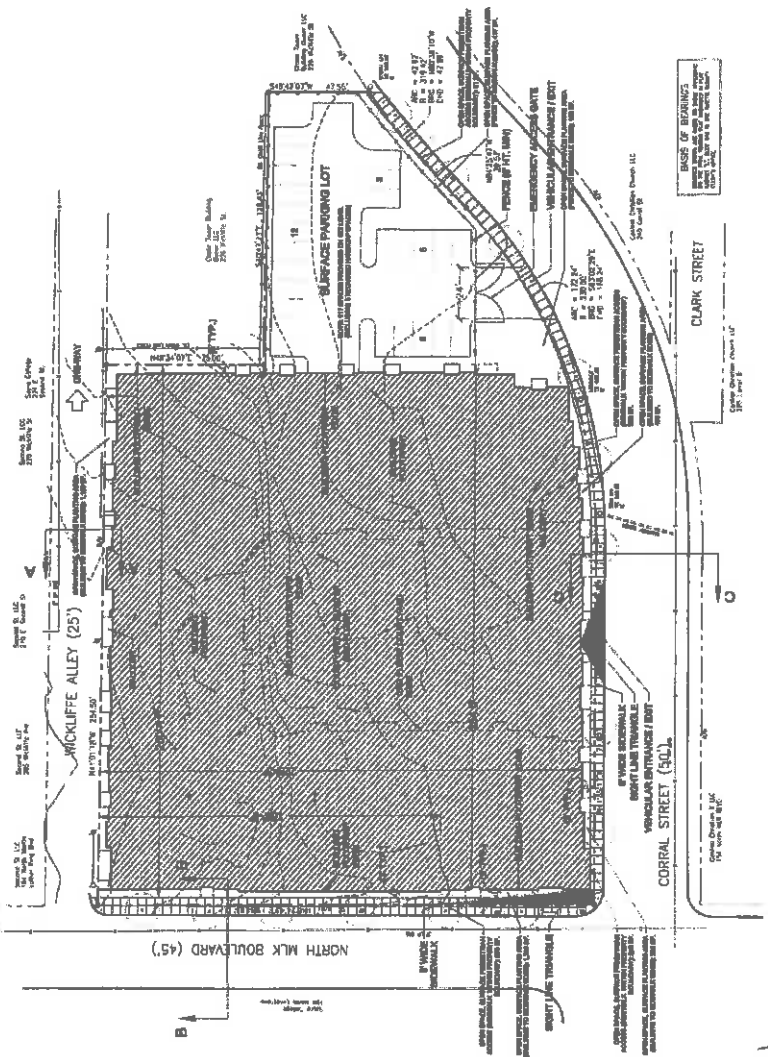
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