

**Planning & Public Works Committee**  
**November 12, 2013 Summary**

Chair Farmer called the meeting to order at 11:00am. Council Members Mossotti, Gorton, Ellinger, Kay, Ford, Lawless, Beard and Clarke were present. Henson was absent.

I. October 8, 2013 Committee Summary

Motion by Beard to approve the October 8, 2013 committee summary. Seconded by Ellinger. Motion passed without dissent.

II. Capital & Maintenance of LFUCG Major Roadways

Wente provided an updated to the committee on questions asked at the last meeting. Major and minor arterials were reviewed, not including collector roads. The average assessed rating was 88, which is an excellent rating. The percentage that would require resurfacing was 5%, with an estimated cost of \$1.4MM. Roads rated between 65 and 75 was effectively 9% of major and minor arterials, the estimated cost is roughly \$2.2MM in resurfacing costs. Wente offered to provide a list of roads and map them out in GIS form if the committee would like.

Farmer stated that this sums up the discussion and comes down to a policy and implementation decision. Farmer asked Wente if he wanted to bring something else later. Wente stated that this was just for discussion moving forward if the council wanted to add a line item to the budget for this purpose as opposed to using individual district funds to cover. He added that a number of these streets are already slated for resurfacing in the spring. Alumni is one of them and UK has proposed a complete overhaul from Nicholasville Road to Tates Creek.

Stinnett asked if there was a list of these roads and the last time they were repaved and what it cost that could be used to develop a plan for budgeting purposes going forward. Wente said he was trying to accommodate that in this information and is where the \$1.4MM came in. He does not have the information on the last time and cost. Stinnett added that he was looking for an annual number that could be used during budget planning. Wente feels the \$1.4MM number would be sufficient to cover the roads that are at a greatest need. Stinnett asked what the following year would need. Wente said if we budgeted the \$1.4MM, he did not think we would need nearly that much the next year. Stinnett wants to be able to come up with an annual recommendation. Wente said that is a moving target. At this point, he feels the \$1.4MM would be significant to address the current need and could address later for a lower amount going forward. Stinnett asked what roads make up the \$1.4MM. Wente said sections of Liberty, Fourth, Maxwell, Alumni, Old Paris Pike, sections of Man O' War, etc. He will provide the list. Stinnett asked how often major roads were done, was it the same as residential streets. Wente said that is correct.

Stinnett wants to get to a real number for the upcoming year and also a number that can be used going forward to avoid coming back to this every year and getting behind like we are now. Martin added that in order to get to an annual replacement, we need to modify our approach because failure does not occur on a predictable manner. If we are using a paving rating system, some streets will not fail as quickly as others do. We need to rate the most heavily travelled roads in a different way.

Beard asked if there was a bigger picture for Alumni, i.e. four lanes. Wente said that there have been preliminary drawings for realignment but the width would stay the same (from Tates Creek to Nicholasville). UK would be the contractor and then deed that portion of the road to the city for maintenance. We would have to budget for the shoulder work on the additional parts of the road.

Farmer added that this will serve as a heading for what to fund and requested that we use it in that fashion going forward.

### III. Elm Tree Lane Sidewalk

Wente provided an update on the information gathered on the condition of the sidewalk, lighting and overall condition of the road. There is a definite need of repair of this section of the sidewalk. The sidewalk replacement would cost approximately \$4300, tree trimming would be roughly \$500 to address the issue and assist in illuminating that corridor. He is still in discussion with Traffic Engineering to get a cost to increase the lumens on the two fixtures that exist on the corridor. The only other question is the funding source for the improvements.

Ford asked if the administration would have a recommendation to bring to committee for the funding source. The sidewalk needs to be replaced and is in this state due to neglect over the years. Farmer added that there were two recommendations in the packet, MAP or NDF, and between the two he feels that we should ask the Administration to use MAP funds. Paulsen added that they were working with KU to see if they could help in some way with the lighting and this could result in a lower cost for LFUCG. Farmer confirmed that they could have a more definitive number by the December meeting.

Motion by Ford to authorize the administration to use MAP funds to repair the sidewalk. Seconded by Ellinger. Motion passed without dissent.

Akers asked if there was a neighborhood association that could contribute to the cost of the repairs. Ford stated that this was a matter of infrastructure and is the responsibility of the government to maintain. Akers asked who did the lighting assessment. Paulsen stated that he did it and that he has worked on these types of issues in the past.

#### IV. Design Excellence Task Force

Kay provided an overview of the DETF recommendations and highlights of the report out for the committee.

Bill Lear commented on the recommendations of the task force. He is supportive of the concept and most of the standards and guidelines. However, there are some issues that he and others are not comfortable with. First, there is not a long line of people wanting to build new things in downtown Lexington at this time. The idea of creating new regulations and restrictions at a time when you are not in high demand is not the right way to go. If there is great demand, you can put more restrictions in place and people will comply if they want to be there bad enough. The point is that any new guidelines or restrictions need to be coupled with real incentives to generate interest. What has emerged is lip service but no actual proposals. The only incentive that has been mentioned with any specificity is having some process to make it easier for people to work through the guidelines that do not exist. The second thing is that he feels this should be staff driven. What has evolved is a board driven process with the majority of the board being design professionals. This results in approvals being based on the opinion of design professionals on the board rather than a set of guidelines that can be reviewed. The process is overly dependent on a board which could delay the process or deny ideas that meet the criteria.

Knox Van Nagle commented on the recommendations of the task force. She agrees with Lear that there are some issues that need to be resolved. There needs to be more clarity given to building demolition within the design excellence district. We need a development incentives package. We need to determine how the guidelines will interact with ongoing parking, traffic (such as two-way streets) and public space planning efforts downtown. To move the design excellence program forward without resolving these issues will result in the creation of an environment that will demand improved development quality and added expense without the regulatory clarity, financial programs and collaboration with our master planning efforts in order to make it a success. They request that they slow down this effort to focus on these issues.

Farmer stated that there will be a meeting for public input on November 14<sup>th</sup>, the task force will meet again on November 18<sup>th</sup> and this could come up again in a more complete form at the December 3<sup>rd</sup> meeting.

Gorton commented on item #6 (the board) she feels there should be discussion around whether the board should include a citizen who does not live or work downtown and is not a design, planning or historic preservation person, just a plain old citizen. Gorton added that the council should have approval of the nominees to

the board. Gorton agreed with Lear on incentives and that we cannot go forward until something is flushed out on incentives.

Mossotti suggested that there should be someone on the board with a real estate background. She feels everyone has the same goal to revitalize the downtown, when impediments are added it makes it more difficult for people to come here. Someone with a real estate background can offer suggestions as they do this every day so they know what people like and what they are looking for. Mossotti agrees that there needs to be some type of incentive offered.

Akers asked how this board would relate the existing BOAR and the courthouse area design review board. Kay stated that the courthouse overlay would be absorbed by this new board and would cease to function. The others would continue to function with the exception that if you are in an H1 overlay zone, then those rules would prevail. Akers think we all want great design and architecture but does not know that implementing or enforcing increased guidelines will help. She feels this will only increase the cost to be downtown.

Clarke asked for examples of incentives. Lear said number one is parking. In the most progressive cities there are a lot of parking structures that are built publicly or in a public-private partnership. The cost of parking is the number one issue in downtown. Lear feels we should TIF everything we can downtown and the government should do this rather than leave it up to the developer to initiate. Another issue is solid waste, chances are you will pay the full urban service rate for garbage collection and not get it from the Urban County Government, resulting in having to pay a private service to pick up. Van Nagel added that if they could have a couple of months, and the DDA would agree, they could organize a group to come up with some kind of report about what is out there and what would be feasible, along with a cost. Van Nagle feels we need to define better what Lexington can do and what it will cost so that we can at least have some sort of strategic plan and an idea to work into the process.

Lawless agrees with Lear on the TIF money. Lawless added that one of the barriers she has seen is that when a project is ready to go, there are a lot of hoops to jump through resulting in delays to the project or no completion. She feels this is a good working document. She agreed again with Lear about parking. Lawless wanted to address the amendment to the B2a parking at some point. She thinks there are places in B2a that would work well and places that would not work at all. This has to be something that we look at. She thinks this is a great document and there are some things we will love about it and some things that people may not love so much.

Akers agreed that we talk about incentives but do not do anything with them. Akers agrees with Van Nagle that there should be a group to review the options. Akers

asked about staffing, will these be new positions in the Division of Planning. Kay stated that the infill position formerly existed in Planning but was eliminated during budget reductions. The other position, in part, would replace the person that staffed the courthouse overlay. It is not a new position but an expanded position. Akers asked why this would not be the DDA. Fugate commented on the differences between the DDA and the Planning Division. Fugate stated that the infill facilitator would be not just in planning but in the commissioner's office and would deal with all permitting functions. The DDA was created to work on economic development functions. In the past, DDA staff may have taken this on but it is really an internal function. Akers asked if all development gets a facilitator or only downtown development. Paulsen stated that this person would focus on projects downtown but would also work on other projects around town. Akers asked if the guidelines were applicable to the entire city. Kay said that as proposed they are applicable to downtown zones. Akers asked if a design excellence officer would focus on all projects or downtown, added that it doesn't seem like there would be enough to keep them busy. Paulsen stated that they think there will be plenty for them to do and offered examples of things they could do to help with design plans. They are asked for help that we currently cannot provide without hiring an outside entity to help.

Gorton asked about small area plans, which have been housed in planning and outside people were hired to help with small area plans. She did not think the small area plans would be part of design excellence. Paulsen said they are not a part of it. They are a lot more in depth and require a lot more work than our staff can supply. They are talking about projects that do not fall into this category. This individual could cover these requests and cover the downtown area, as well as others that come in that do not qualify as a small area plan. King commented on the difference between urban design and planning. We have not had any urban design planners. King stated that it is important that the design excellence person be in planning. The advantage of having the facilitator housed on the commissioner's office, is that there are so many things this person would do that cross all of government. He feels this new person could manage this part of the design excellence program, would bring urban design expertise services not currently provided and review public works projects to see if we can turn them into visual assets. Gorton asked Farmer to have King to send his thoughts via email for inclusion in the packet for the next meeting. Farmer agreed that this would be a great opportunity for the council to become familiar with not only this work product but other things that they need to take action on.

Lawless added that she would like the North Nicholasville small area plan that was started before she came onto Council and was abandoned to be done. She understood that there was funding for two small area plans and would like to put a plug in for this one because it is necessary.

Clarke mentioned the potential for something special on Southland Drive. They have been begging for help and having someone in government that could do this would be extremely valuable. This is the kind of thing that can help throughout the city and would be an important step forward.

Beard stated that this may be much ado about nothing and asked how we would get anybody to come down here and do anything without real money. Why would they come here when they could go to Hamburg or Beaumont. He feels this is not going to happen. He has been in 37 meetings and this did not come out as they thought it would and feels it has wasted a lot of time. Farmer suggested that it could be much ado about something we want to get right in the future. Beard asked if that was 2084. Farmer said the opportunity lies ahead of them and feels that the conversation about a facilitator has been valuable and if that is the only thing to come from this, then it was worth it.

Akers thinks the conversations about the staffing are needed and should be part of a separate discussion from the downtown proposal of the task force. Akers commented on the Distillery District and issues surrounding the development of that area.

Farmer stated that the package before them was to help downtown but if the committee desires to send to full council, the funding of a facilitator, then that is what will happen. We need infill and we need to find ways to incentivize it and make it happen.

Kay commented on the discussion. He would encourage the task force to make decisions and changes as needed after input from this meeting and public input. He is hopeful that a modified set of materials can be brought back to committee for further changes or referral to the full Council.

Farmer stated that this conversation will be continued in December.

V. Agenda Addendum – B1 ZOTA Report

Farmer commented on the process involved up to this point and added that this could be moved forward to the full Council for approval.

Lawless would like the Public Safety Committee to look at a way to provide oversight to rehabilitation homes and will make a motion at work session to refer this item. Motion by Clarke to move the B1 ZOTA to full council. Seconded by Ellinger. Motion passed without dissent.

VI. Items Referred

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