

Blues, Chair
Stinnett, Vice Chair
Gorton
Farmer
Crosbie
Myers
McChord
Martin
Henson
Lane

A G E N D A

Environmental Quality Committee

November 27, 2012

11:00 A.M.

1. **September 25 Committee Summary** (1-3)
2. **Blue Sky Update – Henson** (4-28)
3. **Distillery District Update - Gorton** (29-41)
4. **Public Comment**
5. **Items Referred** (42)

“Environmental Quality Committee, to which shall be referred matters relating to the Department of Environmental Quality and its divisions, and any related partner agencies.”

-Council Rules & Procedures, Section 2.102(1)

Meeting Schedule
October 23
November 27
December 11

ENVIRONMENTAL QUALITY COMMITTEE

September 25, 2012

Summary

Chair Blues called the meeting to order at 11:05 AM. Stinnett, Gorton, Farmer, McChord, Henson and Lane were also present. Ellinger was recognized as part of the quorum. Kay and Beard were also in attendance.

1. 5-Year Solid Waste Plan

Steve Feese presented the 5 year plan. He discussed action plans for collection, disposal, reduction & recycling, littering and enforcement. He stated that zero waste was a goal. He discussed plans to regulate private waste companies in the County. He discussed the need for a construction demolition & debris diversion program.

Mr. Feese discussed plans for a new Materials Recovery Facility (MRF), e waste recovery, a zero waste neighborhood pilot program and recycling of materials such as mattresses.

Gorton asked about the plans for the zero waste neighborhood pilot program.

Stinnett asked why this information wasn't presented to the Solid Waste Committee. In response Feese stated that the plan was bluesheeted and on the docket for 1st reading at the next Council meeting but that it could be delayed and presented to the Committee if that's what Council preferred.

Stinnett also asked about the procedures to opt of the residential program and why new development was included in the solid waste tax district. Feese noted that that was a long standing policy but Council could change that policy.

Blues asked if the zero waste goals would require mandatory recycling. In response Feese said not necessarily.

Lane asked about the construction demolition debris facility.

Gorton asked about the disposal of Emerald Ashe Borer trees.

2. Bluegrass Airport Water Quality Management Fee

Ellinger introduced the topic and he stated that he was concerned that the Airport would be burdened with the stormwater management fee. He called on Eric Frankel, Executive Director of the Bluegrass Airport who started the presentation. Mr. Frankel introduced Mark Day, Chief Engineer with the Airport.

Mr. Day stated that 16-403 provided for several exemptions to the water management fee including undeveloped parcels; railroad tracks; state & federal roads; and urban county streets & roads. He stated that the Airport would like the Committee to consider amending the ordinance to include "urban county airport board runways, taxiways and public ramp areas into the exemption.

Mr. Day stated that several airports have been exempted from their respective stormwater management fees.

Lane asked about the discharge collection areas at the Airport.

Blues stated that he was opposed to the proposal and stated that we needed to be committed to the consent decree and this precedent might compromise that effort.

McChord asked about the stormwater management system at the Airport.

Gorton stated that she thought the Airport should utilize the waiver process in the ordinance. She was concerned about the precedent this would set.

Farmer stated that it would set a bad precedent. He stated that stormwater management was a community issue and the Airport was part of the community.

Stinnett asked about the streets being part of the stormwater system. In response Charlie Martin described the conveyance system.

Ellinger made a motion, second Lane that 16-403(d) be amended to insert "and urban county airport board runways, taxiways, and public ramp areas."

After discussion Lane amended the motion to amend 16-403(b) to insert "and urban county airport board runways, taxiways, and public ramp areas." Ellinger seconded the amended motion.

The motion failed 2-6 (Ellinger, Lane-Yes); (Blues, Gorton, Farmer, Henson, Stinnett & McChord- No).

3. Littering

Henson introduced this issue. She introduced Ms. Patricia Knight with the Keep Lexington Beautiful Commission.

Ms. Knight stated that State government permits local governments to treat litter violations as either a civil or criminal offense. She requested that the Committee recommend amending the current ordinance to prosecute litter violations as a civil offense.

Blues asked if the violation needed to be witnessed by an enforcement officer. In response Ms. Knight stated no.

Gorton asked about the 7 day response time.

Stinnett asked if this would be a burden to enforce. He also asked if Lexington could revert back to criminal offenses in the future. Henson responded that the hearing board was contacted and it should not be a burden for the board.

Henson spoke in favor of the civil offense option that it would free the criminal court system.

On a motion by Henson, second Ellinger the amendment to 14-105 was recommended for approval unanimously.

On a motion by Gorton, second Henson the meeting was adjourned at 2:55 PM.

10.15.2012 PAS

LFUCG Blue Sky Pumping Station & Force Main

Presentation to:
Lexington-Fayette Urban
County Government
Environmental Quality Committee

November 27, 2012



Agenda

- Background
- Implementation Schedule
- Service Area Options
- Cost Comparison
- Additional Acreage Option

Consent Decree Background

Consent Decree Background

- Blue Sky is a Supplemental Environmental Project (SEP) as described in Appendix K-1 of the Consent Decree designed to eliminate the discharge from the Blue Sky Wastewater Treatment Plant (WWTP) and “accommodate” the elimination of the Boonesboro Manor Wastewater Treatment Plant.





Consent Decree Language

This project was undertaken in connection with the settlement of an enforcement action under the Clean Water Act, United States et al. v. Lexington-Fayette Urban County Government brought on behalf of the U.S. Environmental Protection Agency.

Consent Decree Background

- Solution to SEP is construction of a pumping station and elimination of the WWTP.
- Project must be complete by January 3, 2015
- Blue Sky property acquisition complete - January 2012. Purchase price = \$250,000



Project Funding Sources

- Fund 4003
- State Grant - \$600,000
- State Revolving Loan - \$1.93 M

Implementation Schedule



Implementation Schedule

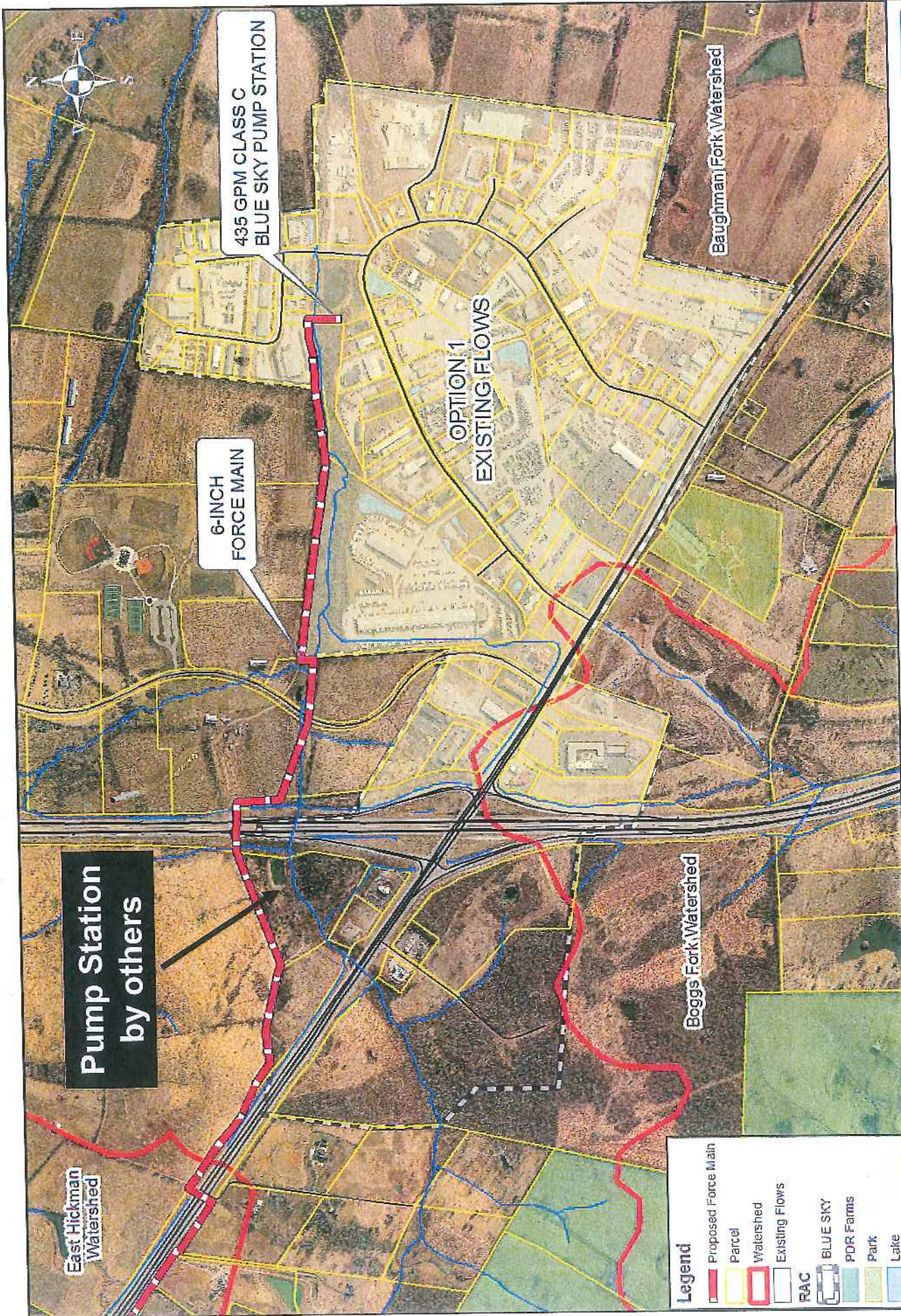
- Submission of Final Construction Plans:
February 10, 2013
- Review by Division of Water:
April 10, 2013
- Bidding of Construction Project:
May 2013
- Award of Construction Project:
June 2013

Service Area Options

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Option 1: Minimum Requirement

- Construct a 435 gpm Blue Sky Pump Station discharging into a 6-inch force main.
- Provides capacity for the 150,000 gpd Blue Sky WWTP.
- Provides capacity for the 70,000 gpd Boonesboro Manor WWTP to be eliminated by a separate pumping station – constructed by others.
- Meets the minimum criteria of the SEP by eliminating the Blue Sky WWTP and “accommodating” the eventual elimination of the Boonesboro Manor WWTP.



Blue Sky Option 1

OCTOBER 1, 2012

1,000 500 0 1,000 Feet

1 inch = 1,000 feet

- Legend**
- Proposed Force Main
 - Parcel
 - Watershed
 - Existing Flows
 - RAC
 - BLUE SKY
 - PDR Farms
 - Park
 - Lake



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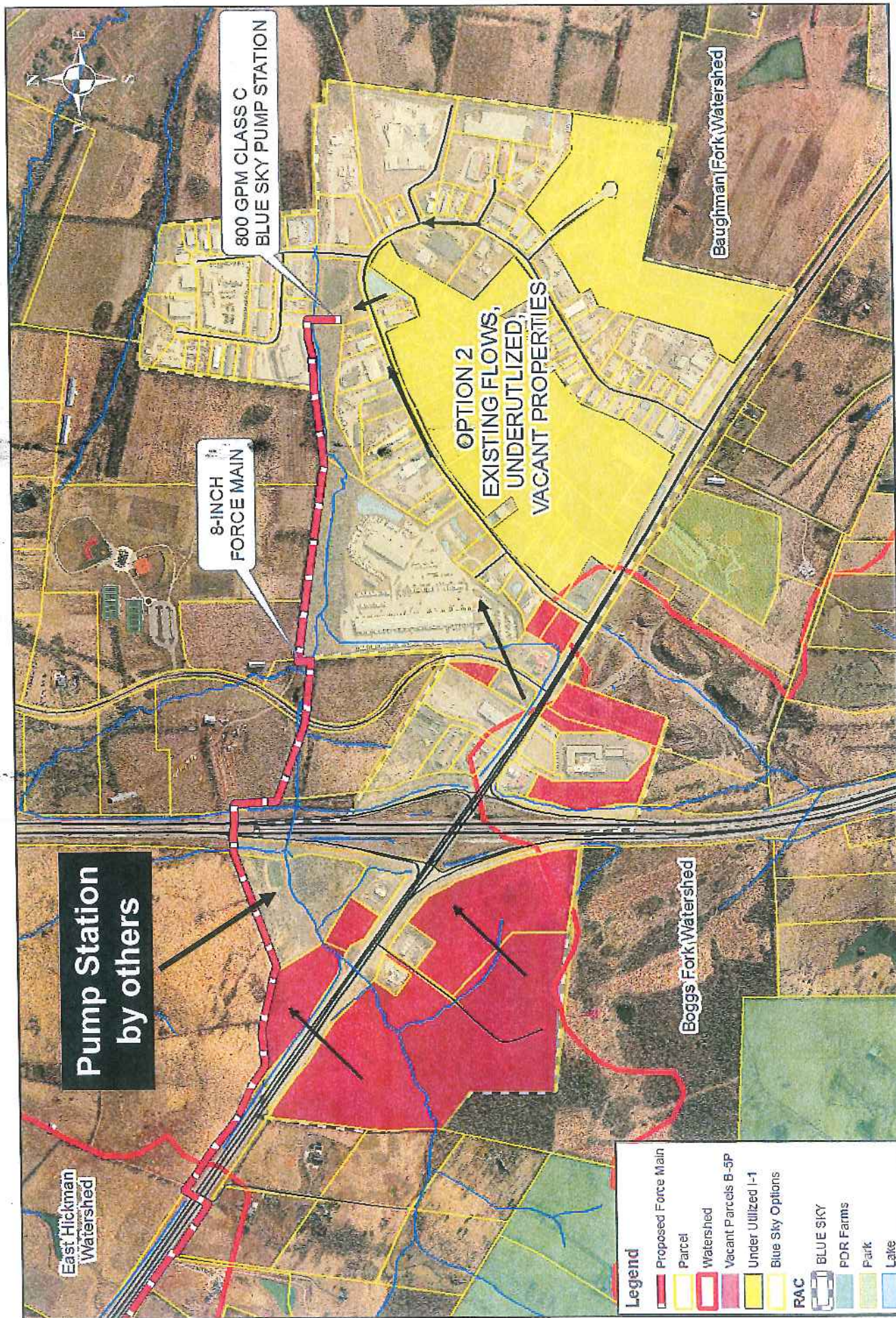
Option 1: Considerations

- Lowest cost solution.
- Does not impact downstream infrastructure beyond current Remedial Measures Plan cost projections.
- Does not allow for further development/redevelopment of Blue Sky Rural Activity Center (RAC) beyond the 435 gpm peak flow threshold.
- Limits the system's ability to accommodate future flows from Boonesboro Manor beyond the existing 70,000 gpd rated plant capacity.



Option 2: Provide Capacity to Meet Current Zoning in the RACs

- Construct an 800 gpm Blue Sky Pump Station discharging into a 10-inch force main.
- Provides capacity for the Blue Sky Rural Activity Center (RAC) based on current zoning.
- Provides capacity for the Boonesboro Manor based on current zoning. Service would be provided by a separate 500 gpm pumping station; constructed by others.
- Eliminates the full RAC utilization barrier created by the existing WWTP capacities.



Blue Sky Option 2

OCTOBER 1, 2012





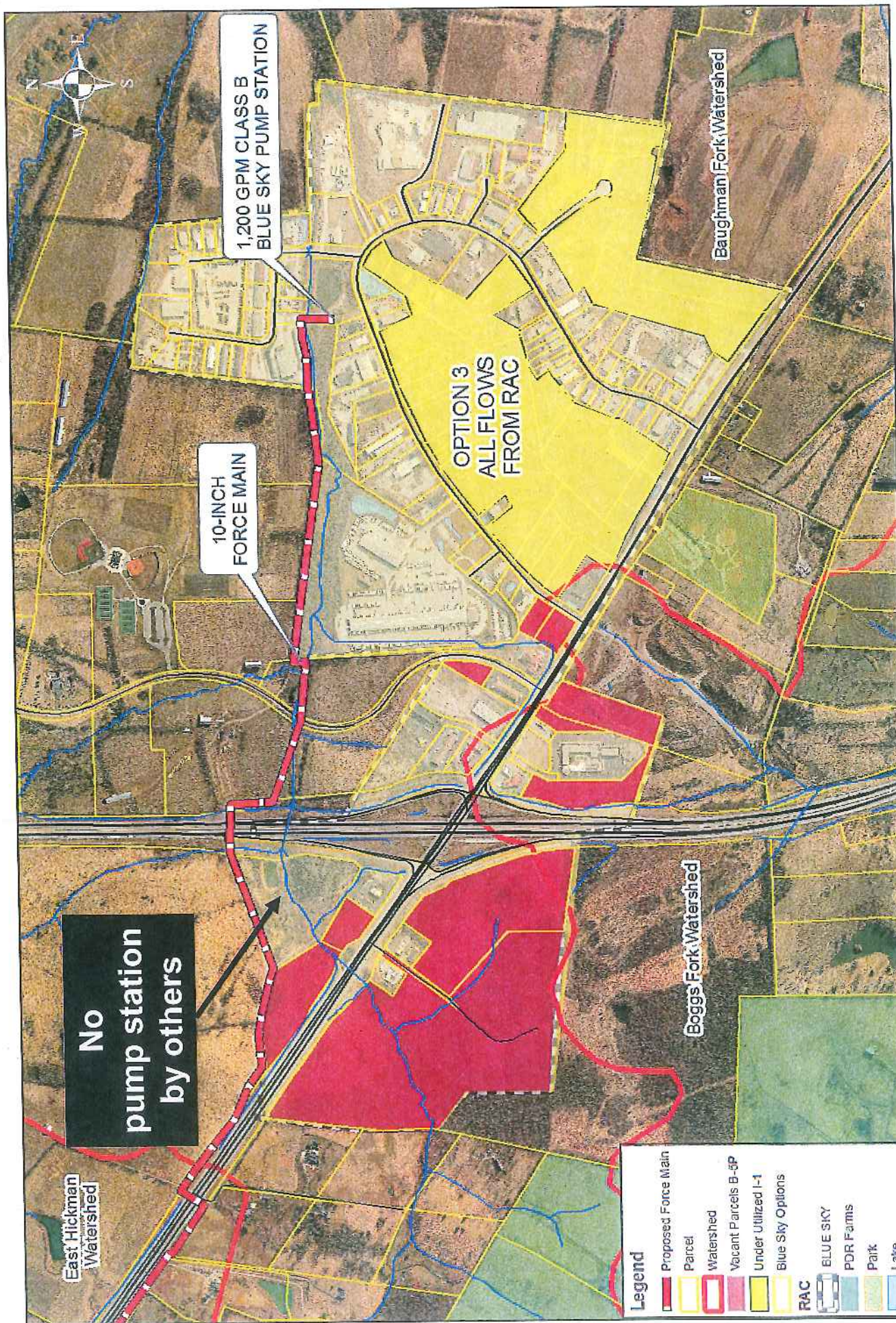
Option 2: Considerations

- Allows for development/redevelopment of Blue Sky RAC beyond the 150,000 gpd (104 gpm) plant capacity.
- Accommodates future flows from Boonesboro Manor beyond the 70,000 gpd (48.6 gpm) plant capacity.
- Increases cost of downstream infrastructure above current Remedial Measures Plan cost projection.
- A cost escalation recovery plan for benefited parcels may be considered.

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Option 3: Construct a Single Pumping Station to Serve the Entire RAC

- Construct a 1,200 gpm Blue Sky Pump Station discharging into a 10-inch force main.
- Provides capacity for the Blue Sky Rural Activity Center (RAC) and Boonesboro Manor based on current zoning.
- Eliminates the need for a second pumping station at Boonesboro Manor.
- Would require construction of a gravity sewer from Boonesboro Manor to Blue Sky (constructed by others).



Blue Sky Option 3

OCTOBER 1, 2012

- Legend**
- Proposed Force Main
 - Parcel
 - Watershed
 - Vacant Parcels B-5P
 - Under Utilized I-1
 - Blue Sky Options
 - RAC**
 - BLUE SKY
 - PDR Farms
 - Park
 - Lake

1,000 500 0 1,000 Feet

1 inch = 1,000 feet





Option 3: Considerations

- Highest cost solution
- Allows for development/redevelopment of Blue Sky RAC beyond the 150,000 gpd (104 gpm) plant capacity.
- Accommodates future flows from Boonesboro Manor beyond the 70,000 gpd (48.6 gpm) plant capacity.
- Further increases cost of downstream infrastructure above current Remedial Measures Plan cost projection.
- A cost escalation recovery plan for benefited parcels may be considered.

Cost Comparison

Option	Estimated Cost (PS & FM)	Estimated Downstream Improvements	Total Estimated Construction Cost
1. Construct a 435 gpm Class C Pumping Station with a 6-inch Force Main	\$1,375,000	\$0	\$1,375,000*
2. Construct an 800 gpm Class C Pumping Station with an 10-inch Force Main	\$1,925,000	\$3,200,000	\$5,190,000*
3. Construct a 1,200 gpm Class B Pumping Station with a 10-inch Force Main	\$3,910,000	\$3,200,000	\$7,110,000*

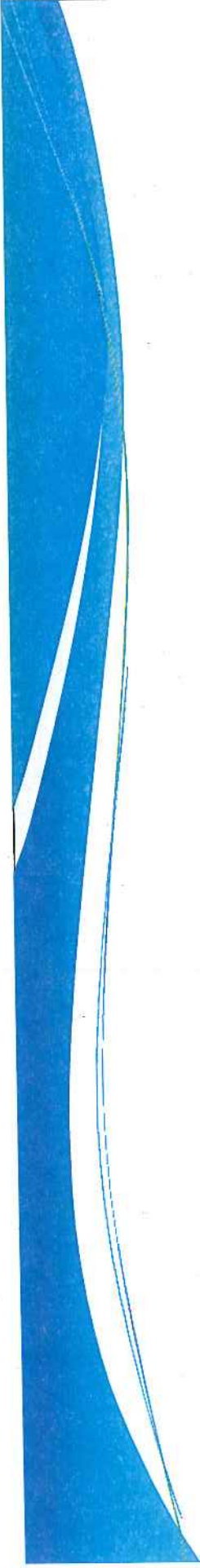
* Costs do not include plant closure, demolition, lagoon closure or gravity sewers.



Additional Acreage Option

At the request of some stakeholders, the Division of Water Quality has estimated the additional capital costs for providing system capacity for approximately 609 acres bounded by the existing Urban Service Boundary, Athens-Boonesboro Road and Interstate 75.





Additional Acreage Option

- Assuming 80% developable land within the 609 acres = 487.2 developable acres.
- Current LFUCG design guidelines use 1,500 gpd per developable acres for capacity planning purposes.
- Estimate capacity needed:
 - 730,800 gpd
 - 507.5 gpm (average)
 - 2,030 gpm (peak)

Additional Acreage Option

Scenario	Incremental Cost	Estimated per Acre Capacity Cost @ 609 acres*	Cost Factors
Additional flow up to 3500 gpm	\$152,000 + \$2220/gpm	\$7,646 / acre	Larger storage tank at East Hickman (4.3 - 6.0 MG), purchase of additional land for EQ.
Additional flow in excess of 3500 gpm	\$252,000 + \$2080/gpm	\$7,347 / acre	Larger storage tank at East Hickman (> 6.0 MG), purchase of additional land for EQ.

* Computed at peak flow rate > 435 gpm to East Hickman. Estimate limited to downstream costs at East Hickman PS



DWQ Recommendation

- Amend current RMP cost projections to fund construction of Option 2.
- Develop and implement a cost recovery system for developing and re-developing parcels within the entire Blue Sky RAC.

Questions



Distillery District Update

Presentation Overview

1. Distillery District Timeline
2. Current status of feasibility study
3. Next steps

Distillery District Timeline

- 2008:** Origination of Distillery District TIF
- 2009:** Approval of \$2.2 million bond for streetscape and trail design and construction
- 2010:** RFP's for Distillery District feasibility study and construction plans
- 2011:** Selection of Strand for feasibility study
- 2012:** Work continues on feasibility study

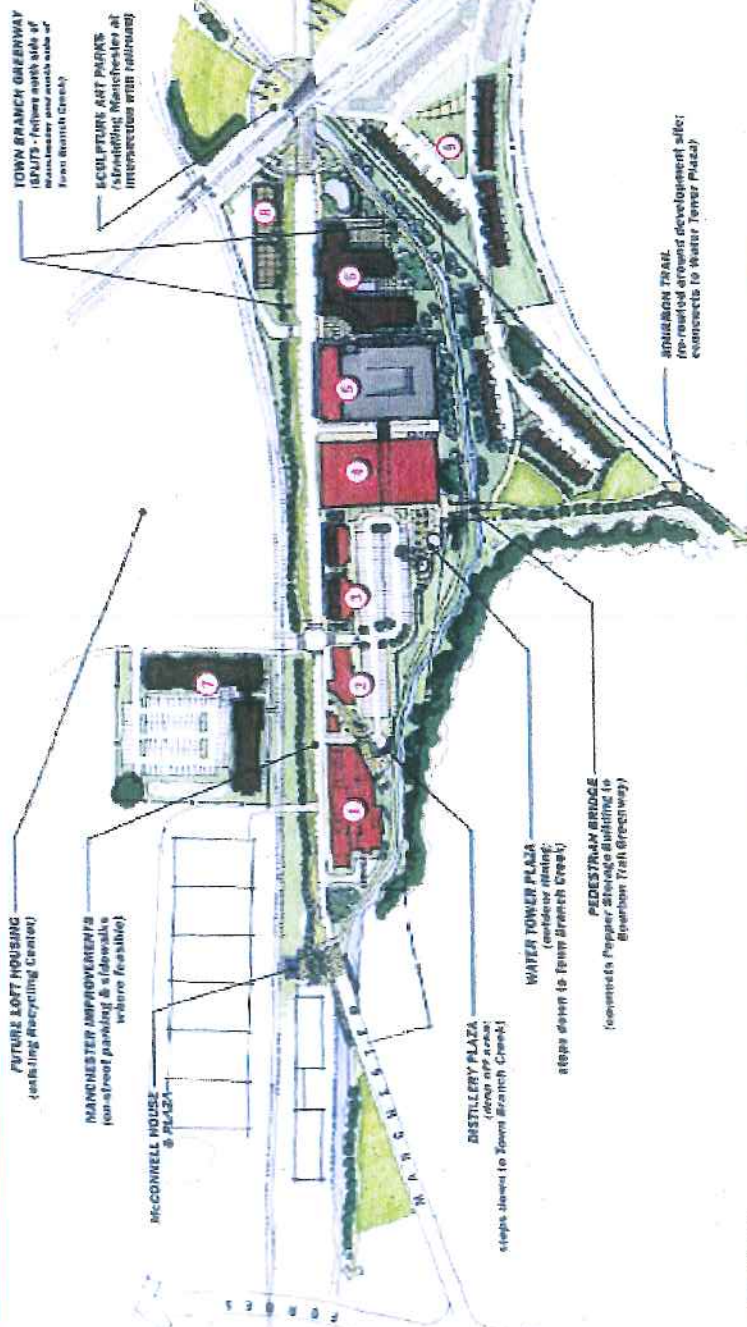
Distillery District Update

October 2008:

**Distillery District TIF approved by State and
City**

Approximately 28 acres in size

- 1 PEPPER DISTILLERY**
 - reuse of old Pepper distillery with boutique distillery & boutique wine and cognac production. A bar or club house with office above.
 - 75,000 square feet
- 2 PEPPER OUT BUILDINGS**
 - 100,000 square feet for production and storage.
 - 10,000 square feet
- 3 INFILL COMMERCIAL**
 - 100,000 square feet for commercial use.
 - 10,000 square feet
- 4 PEPPER STORAGE BLDG.**
 - reuse of old storage building, building new 20,000 square foot storage building.
 - 10,000 square feet
- 5 SHARED PARKING DECK, OFFICE**
 - 200 parking spaces shared between Pepper Distillery and other buildings.
 - 10,000 square feet
- 6 NEW LOFT HOUSING-I**
 - 100,000 square feet for 100 units.
 - 10,000 square feet
- 7 NEW LOFT HOUSING-II**
 - 100,000 square feet for 100 units.
 - 10,000 square feet
- 8 LIVE-WORK STUDIOS**
 - 100,000 square feet for 100 units.
 - 10,000 square feet
- 9 NEW LOFT HOUSING-III**
 - 100,000 square feet for 100 units.
 - 10,000 square feet



West District-Concept Plan

the distillery district MASTER PLAN

LEXINGTON, KENTUCKY



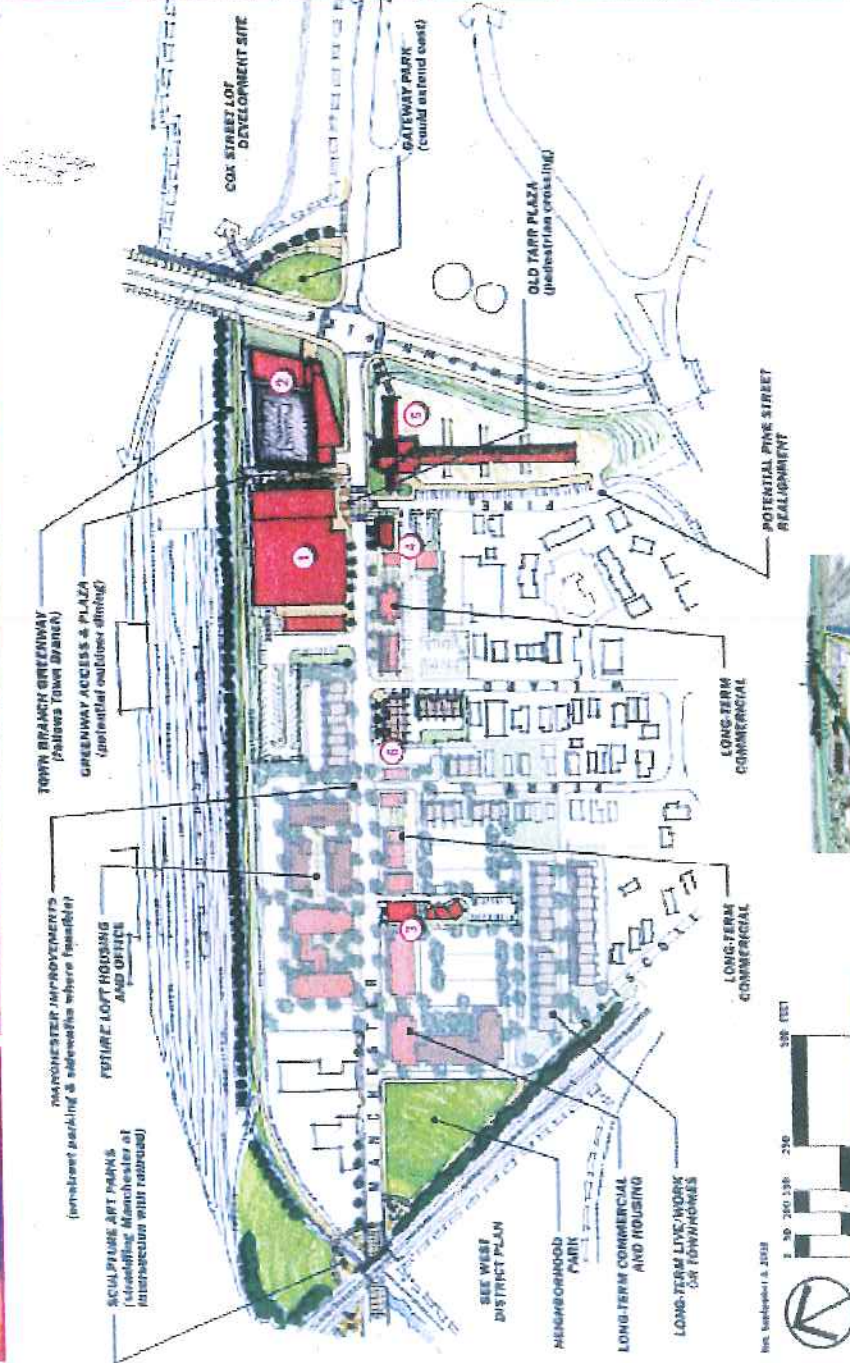
East District-Concept Plan

the distillery district MASTER PLAN

LEXINGTON, KENTUCKY



- 1. OLD TARR DISTILLERY**
 - re-use of distillery building as commercial space, including potential for a new distillery building
 - ~ 100,000 sq ft
- 2. INFILL MIXED-USE**
 - new 4-5 story mixed-use building with retail, office, and residential space
 - ~ 100,000 sq ft
- 3. RE-USE COMMERCIAL**
 - re-use of existing commercial building as office space
 - ~ 100,000 sq ft
- 4. INFILL COMMERCIAL**
 - new 1-2 story commercial building for commercial use, including parking available on site
 - ~ 100,000 sq ft
- 5. MANCHESTER MARKET**
 - re-use of existing building as market space, including parking available on site
 - ~ 100,000 sq ft
- 6. LIVE WORK STUDIOS-1**
 - new 4-5 story live-work studio building with retail, office, and residential space, including parking available on site
 - ~ 100,000 sq ft



- LEGEND**
- commercial
 - live/work
 - residential
 - open space



Distillery District Update

December 2009: \$2.2 million Distillery District Bond

Focus of Bond

- **Design and construction of Town Branch Trail section.**
- **Streetscape improvements**
- **Feasibility study was added later**

Distillery District Update

Two separate RFP's were issued in 2010

RFP 17-2010: March 2010

RFP 50-2010: December 2010

Distillery District Update

RFP 17-2010: March 2010

- Develop construction documents and plans for the Town Branch Trail segment;
- Perform a planning and feasibility study for Manchester Street Improvements; after which
- Develop construction documents for the Manchester Street Improvements segment.

Distillery District Update

RFP 50-2010: December 2010

- Perform a planning and feasibility study for the Manchester Street Improvements and Town Branch Trail Corridor; *after which*
- Develop construction documents and plans for the Town Branch Trail segment; and
- Develop construction documents for the Manchester Street Improvements segment.

Distillery District Update

July 2010: Strand selected for feasibility study

Feasibility Study Scope

- Planning Services
- Site Inventory: Obtain field survey
- Site Inventory: Conduct Physical Conditions Investigation and Site Analysis
- Public Involvement
- Alternative Alignments

Distillery District Update

Feasibility Study

Total Cost: \$501,202.00

**Subcontractors: CRA and Third Rock
Contract modification #1 in July 2012**

**Total billings to date: \$383,257.57
Study is approximately 76% complete**

Distillery District Next Steps

1. Completion of Feasibility study
2. Development Agreement
 - Trail/Streetscape
 - Other?

Committee Referrals

Environmental Quality Committee

Item	Referred By	Date	Status
Capacity Analysis	Blues		Part of RMP
Solid Waste Operations Effectiveness	Stinnett	4-13-11	Waste Management Task Force
Consolidate Greenway Responsibilities	EQ Link	6-19-11	
UK Game Day Solid Waste Collection: Revenue Source	EQ Link	6-19-11	Waste Management Task Force
Bulky Item Collection: Revenue Source	EQ Link	6-19-11	Waste Management Task Force
DWQ Construction Process	Myers	3-17-12	
Annual Report on Public Education Effectiveness	EQ/PW Link	5-19-12	
Drainage Maintenance Issues	Henson	11-13-12	

Pas 11-19-12