



Mayor Jim Gray

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Commissioner's Office

Department of Environmental Quality & Public Works

12/18/2012

Mrs. Rena Wiseman
Associate General Counsel/Development Manager
Ball Homes, LLC
3609 Walden Drive
Lexington, KY 40517

Re: Lochmere Estates

Mrs. Wiseman,

Per the request of Ball Homes, several Divisions within the Lexington-Fayette Urban County Government have reviewed the request and provided feedback to transferring the Lochmere Estates street right-of-way from private to public. After reviewing the responses, there does not appear to be significant issues, with respect to this request, that would impede authorization and will be submitted for Urban County Council approval. This item should appear on the agenda for the January 15th, 2013 Council work session. Should you have any additional questions, please feel free to contact me.

A handwritten signature in blue ink that reads "Kevin Wente".

Kevin Wente
Administrative Officer

HORSE CAPITAL OF THE WORLD

200 East Main Street 9th Floor Lexington, KY 40507 Ph: (859)258-3400 Fax: (859)258-3403 www.lexingtonky.gov

Kevin Wente

From: Chris King
Sent: Monday, December 03, 2012 11:45 AM
To: Kevin Wente
Subject: RE: Emailing: Enclave AFRP 1-A-1
Attachments: Lochmere-Maple ridge dedication staff tech report.pdf

Good morning, Kevin.

Our technical review report is attached. In summary:

As Bob B has noted, and as we note in our tech report, this one is a little unusual due to the design of the streets. We do note that in the Expansion Areas, developers are encouraged to submit innovative alternatives. The bottom line feeling of staff is that this design might have been approved as a public street system if it had been originally proposed.

If there are no changes in how services are provided as a result of dedication, Planning would not generally object to dedication as long as arrangements are made for maintenance of medians and the independent walkway system is completed.

FYI, amended final plats have been filed, and are pending dependent upon the dedication question. Those plats will resolve some questions raised by Jeff Neal.

Again, sorry for missing the original deadline.

Chris

Chris King, AICP
Director, LFUCG Division of Planning
(859) 258-3262
chrisk@lexingtonky.gov

From: Kevin Wente
Sent: Friday, November 30, 2012 10:06 AM
To: Chris King
Subject: RE: Emailing: Enclave AFRP 1-A-1

That's quite all right Chris. Rena was hoping that full approval would be granted and run through Council for 2 readings prior to the break – but there are far too many issues to make that happen.

Kevin

Kevin Wente
Lexington-Fayette Urban County Government
Department of Environmental Quality & Public Works
200 E. Main St. 9th Floor
Lexington, KY 40507

Phone: 859-258-3407
e-mail: kwente@lexingtonky.gov

DIVISION OF PLANNING

PRIVATE STREET ACCEPTANCE REQUEST RESPONSE FORM
PART I: TECHNICAL REVIEW

Note: The below-listed request for acceptance of a private street for public dedication has been forwarded to the Division of Planning by the Chief Administrative Officer. This Technical Review Form is intended to provide the first part of the Division of planning review for distribution to other Divisions to assist them in making their recommendations to the CAO.

STREET NAME(S): Lochmere Lane, Lochmere Place, Lochmere Loop & Lochmere Ct.

SUBDIVISION NAME(S): Lochmere Estates (Maple Ridge)

UNIT(S): Unit 1-A SEC 1 & Unit 1-B SEC 1

ESTIMATED YEAR BUILT: 2007

PRIVATE R.O.W./ACCESS EASEMENT WIDTH: 22' 31" 1/4 FEET

PAVING TYPE: ASPHALT CONCRETE OTHER

PAVING WIDTH: * SEE Below CURB/GUTTER: YES NO

SIDEWALKS: NO YES ONE SIDE BOTH SIDES

WIDTH OF UTILITY STRIP: NA FEET

UTILITIES: WATER GAS ELECTRIC NONE UNKNOWN

PAVING SPECS (IF NOTED): _____ " SURFACE _____ " BINDER _____ " BASE

APPLICABLE PUBLIC STREET SPECIFICATIONS AT TIME OF CONSTRUCTION:

R.O.W. WIDTH: 50' FEET

PAVING TYPE: ASPHALT CONCRETE OTHER

PAVING WIDTH: _____ CURB/GUTTER: YES NO

SIDEWALKS: NO YES ONE SIDE BOTH SIDES

WIDTH OF UTILITY STRIP: 7' FEET

PAVING SPECS: _____ " SURFACE _____ " BINDER _____ " BASE

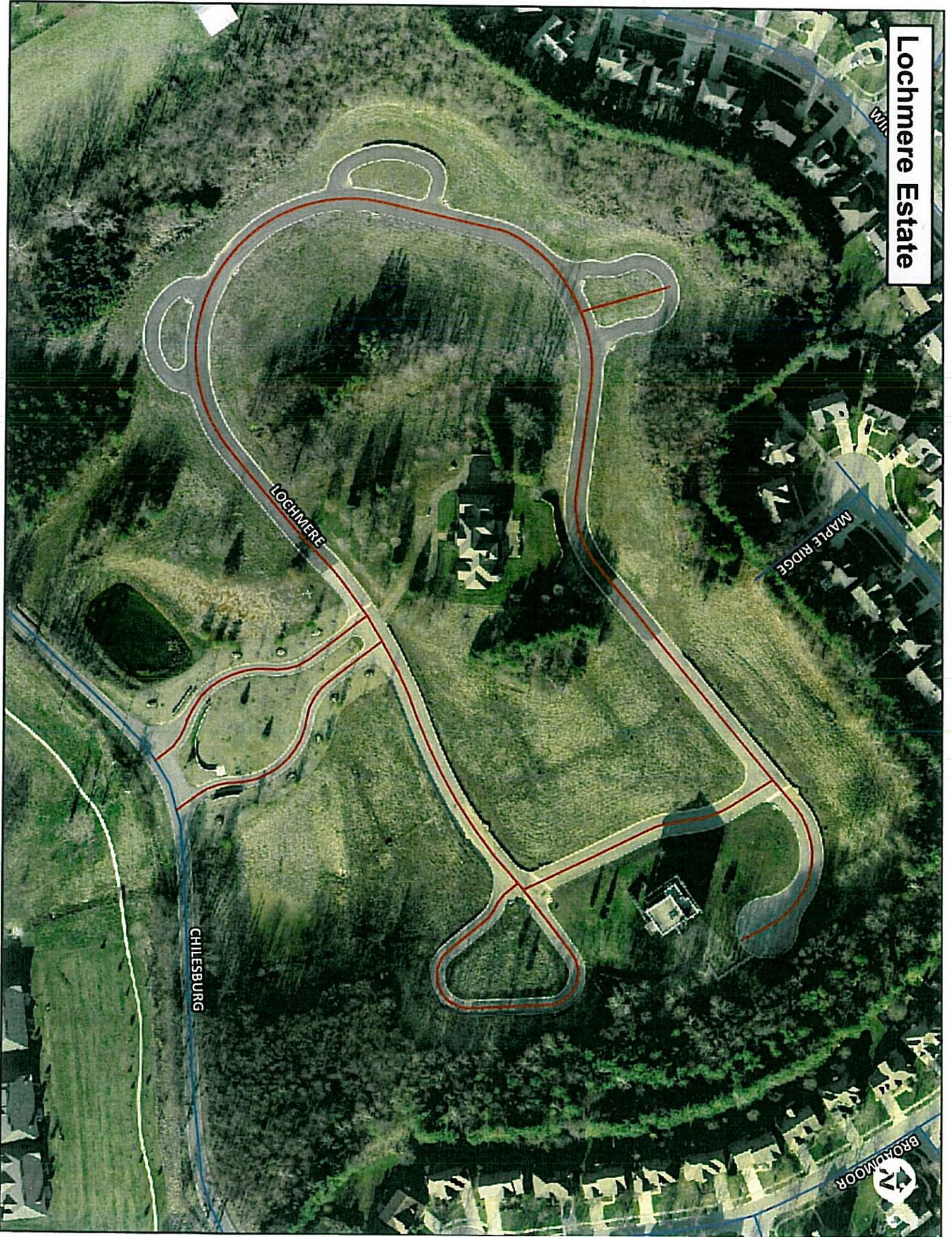
_____ VARIABLE DEPENDING UPON CBR

OTHER COMMENTS OR SPECIAL CIRCUMSTANCES:

* PAVING WIDTH - 18' BC TO BC, 31' RC TO BC, 22' BC TO BC
EXPANSION AREA plans/developments ARE ENCOURAGED TO
CREATE/build ALTERNATE street systems. This
development has AN independent pedestrian
WALKWAY/TRAIL. THERE ARE CARE MEDIANS TO
Be MAINTAINED. THE RADIUS ON the Loops ARE
NON-STANDARD.

COMPLETED BY: Thomas Smith Sr. Planner DATE: 12/3/12

Lochmere Estate



LOCHMERE

MAPLE RIDGE

CHILLESBURG

BROADMOOR



TO: Kevin Wente
Administrative Officer

FROM: Robert Bayert, P.E.
Acting Director of Engineering

DATE: November 21, 2012

Re: Private Street Acceptance Request – Lochmere Estates (Maple Ridge) Subdivision

Our staff has made a review of the request for acceptance of the private streets, as public right-of-way. The Division of Engineering does not recommend the acceptance of the streets due to the substandard right-of-way widths, incomplete status of the existing pavement and existing gates on the street.

LFUCG's standard right-of-way width for a residential local street is 50 feet. The typical standard section includes a 28 to 31 foot wide roadway (back-of-curb to back-of-curb); a utility strip; and sidewalks on each side of the street. The currently platted right-of-ways for the subject private streets are limited to the span from the back-of-curb to back-of-curb and vary in width from 18 to 31 feet. A yet to be constructed, privately maintained, walking path was approved by the Planning Commission in lieu of sidewalks along the streets. Future maintenance on the streets would be difficult within the confines of the existing right-of-way. If the streets are accepted as public, we recommend that additional right-of-way be dedicated to make the width consistent with the minimum public street standards.

The surface course of asphalt has not been applied to the streets. If the streets are accepted for public maintenance, it is recommended that additional surety, consistent with the Land Subdivision Regulations, be provided by the developer. After the developer has completed the application of the surface course of asphalt, a warranty surety for the surface should be provided for a minimum of one year.

There are existing gates across the main entryway to the subdivision. If the streets are accepted as public right-of-way, it is recommended that the gates be removed. In addition, there are masonry walls constructed near the subdivision entrance as entry features. The walls are outside of the currently platted right-of-way; however, if additional right-of-way is dedicated as part of a public street acceptance process, maintenance of the walls and any vegetated, landscaping or roadway medians should remain as the responsibility of the Homeowners Association.

With acceptance of a formerly private street would come acceptance of a formerly private storm sewer system for the street drainage. It is recommended the requestor have the lines CCTV'ed to assure system integrity.

With the proposal to add more lots to the previous lotting pattern, it would be beneficial to know if and where the street may need to be cut to provide sanitary sewer laterals to the additional lots. Obviously this work would need to be coordinated with final surface application and sureties.

Finally, Ball Homes is one of three entities having an interest in this street system. The other two have lots, residences and street frontage within the subdivision. We should receive acknowledgement from the others that they are aware of and agreeable to whatever conditions and outcome result from this inquiry, in a manner consistent with the CAO policy.

Kevin Wentte

From: Rena Wiseman [rwiseman@ballhomes.com]
Sent: Monday, December 10, 2012 11:26 AM
To: Kevin Wentte; Hillard Newman; bbayert@lexingtonky.gov
Cc: Brian Stephens, PE

*Response to
Engineering*

Subject: RE: Lochmere Estate (Maple Ridge) Unit 1-A, Sections 1 and 2/Tax District

Kevin, Hillard and Bob,

I am writing to see where we stand on our request with regard to making the streets in Lochmere Estates public. I have discussed this briefly both with Hillard and Bob since we received Bob's letter last week and advised that we can address each of the concerns with the exception of the 50' right of way. As I explained to them, we can dedicate right of way from back of curb to back of curb but cannot dedicate 50' without going below the 60% open space requirement. In the alternative, we proposed a 10' street maintenance easement adjacent to the right of way that would give the government room to work on the street if need be. This is a local street system with one way in and out and the prospect of the street ever needing to be widened beyond the existing pavement width is very remote; thus, the 10' maintenance easement should be sufficient. As to the other points: we will be applying the final surface course of asphalt at a later date and therefore will be agreeable to posting the necessary surety as well as the warranty surety once the street is completed. The gates will be removed and we will provide by notes, etc. that the entry features, such as the wall, landscaping, etc. will be the responsibility of the HOA. The storm sewer system is already located in public easements but we can have the lines CCTV'd as requested; we are working with EA Partners on plans for the location of the sewer laterals and will install those prior to installing the final surface to the street; and finally, we will be in touch with the other two owners as to the dedication of the street. By the way, could you forward the CAO policy about street dedication that is referenced in Bob's letter? Please let us know if our request is acceptable based on our responses to Bob's letter.

Kevin, since you sent this last week, have you heard from any other divisions as to this request?

Please let me know if you have any more questions or concerns. This project is in a bit of limbo as far as our purchasers are concerned until we are able to determine if the streets can be public so we appreciate your response.

Thanks for your help.

Rena

From: Kevin Wentte [mailto:kwente@lexingtonky.gov]
Sent: Thursday, November 29, 2012 5:02 PM
To: Rena Wiseman
Subject: RE: Lochmere Estate (Maple Ridge) Unit 1-A, Sections 1 and 2/Tax District

Hello Rena,

I apologize for the delay in responding – I have reviewed the inquiry into Katherine PI and you are indeed correct, the tax district should be 01 and not 03. I was originally given information that this portion of the development was platted as a private street and will make the necessary corrections when reporting this information to the PVA. Regarding the request to transfer the Lochmere Estates right of way to the LFUCG; I have attached the comments from the Division of Engineering. If you could review and provide the additional information with respect to the issues stated, that would be most helpful. A few Divisions have not responded within the noted timeframe - I would assume their concerns / issues would be very similar to those stated in the response from Engineering.

Kevin

Kevin Wentte

Lexington-Fayette Urban County Government
 Department of Environmental Quality & Public Works
 200 E. Main St. 9th Floor
 Lexington, KY 40507

12/10/2012

Kevin Wente

From: Charles E Bowen
Sent: Friday, November 16, 2012 4:59 PM
To: Kevin Wente
Cc: Keith Jackson; Richard Jordan
Subject: RE: Emailing: Enclave AFRP 1-A-1

Mr. Wente,

The Division of Fire is requested that no parking in the loops, court, or cul-de-sac because it would make it very difficult for our trucks to gain access to these areas with parked vehicles. In addition, we ask that the gates be removed if this becomes a public street to provide quicker access if our services should be needed.

Sincerely,

Captain Charles E. Bowen
Division of Fire & Emergency Services
Water Control Office
101 East Vine Street Suite 555
Lexington, Kentucky 40507
Office 859-258-3964
Fax 859-425-2254
bowenc@lexingtonky.gov

From: Charles L Bowen
Sent: Saturday, November 10, 2012 7:52 AM
To: Charles E Bowen
Subject: FW: Emailing: Enclave AFRP 1-A-1

Chuck Bowen
Telecommunicator Sr.
Division of Enhanced 9-1-1
229 E Third Street
Lexington, KY 40508
859-231-5600
cbowen2@lexingtonky.gov

From: Keith Jackson
Sent: Fri 11/9/2012 7:39 PM
To: Charles L Bowen
Cc: Richard Jordan; Otis H Hoskins
Subject: Fwd: Emailing: Enclave AFRP 1-A-1

Sent from my iPhone

Begin forwarded message:

11/20/2012

Kevin Wente

From: Jerry Hancock
Sent: Tuesday, November 20, 2012 11:33 AM
To: Kevin Wente
Subject: RE: Emailing: Enclave AFRP 1-A-1

Kevin, Parks is concerned about the maintenance of the strip in the middle of Lochmere Lane which is divided. What is the plan for the mowing maintenance along this road?

Also one side of this shows a Detention Basin/open space – who will maintain that area?

Jerry Hancock
Director, Parks and Recreation
469 Parkway Drive
Lexington, KY 40504
jhancock@lexingtonky.gov
859.288.2965
...a nationally accredited Parks & Recreation agency

From: Kevin Wente
Sent: Friday, November 09, 2012 6:35 PM
To: Albert Miller; Brian Maynard; Charles Martin; Christopher Doerge; Chris King; Gary Warner; Jeffrey Neal; Jerry Hancock; Jim Woods; Keith Jackson; Paul Hockensmith; Robert Bayert; Rodney Chervus; Samuel Williams; Steve Feese
Subject: FW: Emailing: Enclave AFRP 1-A-1

All,

Please reference the request below from Rena Wiseman. Ball Homes is requesting the transfer of right-of-way from Private to Public after having purchased Lochmere Estates. Please review with your staff and submit to me any items/issues you may have with regards to this request. Thank you in advance for your time and attention to this request. If you could, please have your information returned to me by Monday, November 26th.

Kevin

Kevin Wente
Lexington-Fayette Urban County Government
Department of Environmental Quality & Public Works
200 E. Main St. 9th Floor
Lexington, KY 40507

Phone: 859-258-3407
e-mail: kwente@lexingtonky.gov

-----Original Message-----

From: Rena Wiseman [<mailto:rwiseman@ballhomes.com>]
Sent: Thursday, November 01, 2012 5:02 PM
To: Kevin Wente
Cc: Ray Ball; Mike Ball; Lisa Ball; Brian Stephens, PE
Subject: FW: Emailing: Enclave AFRP 1-A-1

Kevin,

11/20/2012

Kevin Wente

From: Billy Prater
Sent: Wednesday, November 14, 2012 10:03 AM
To: Rodney Chervus; Kevin Wente
Cc: Charles Martin
Subject: RE: Emailing: Enclave AFRP 1-A-1

The Sanitary Sewer on this project is already public.

Thanks,

Craig Prater
Engineering Technician Principal
Division of Water Quality
Lexington Fayette Urban County Government
Office: 859-425-2446 Cell: 859-576-9096

From: Rodney Chervus
Sent: Monday, November 12, 2012 10:51 AM
To: Billy Prater
Subject: FW: Emailing: Enclave AFRP 1-A-1

Craig,

Yet another request to go from private to public!

Are the SS lines private or public?

After you have ascertained if the lines are public or private please respond to Mr. Wente's email.

From: Kevin Wente
Sent: Friday, November 09, 2012 6:35 PM
To: Albert Miller; Brian Maynard; Charles Martin; Christopher Doerge; Chris King; Gary Warner; Jeffrey Neal; Jerry Hancock; Jim Woods; Keith Jackson; Paul Hockensmith; Robert Bayert; Rodney Chervus; Samuel Williams; Steve Feese
Subject: FW: Emailing: Enclave AFRP 1-A-1

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Kevin

Kevin Wente
Lexington-Fayette Urban County Government
Department of Environmental Quality & Public Works
200 E. Main St. 9th Floor

11/14/2012

Kevin Wente

From: Brian Maynard
Sent: Monday, November 12, 2012 10:25 AM
To: Kevin Wente
Subject: RE: Emailing: Enclave AFRP 1-A-1

Kevin,

I find no reason that we would have any issues either way, for or against, to change this roadway to one that is publicly maintained. All indications are, from our perspective, that this change would have no impact on our current ability to provide law enforcement services to these residents.

Thanks,

Lieutenant Brian P. Maynard
Office of the Chief of Police
Lexington Division of Police
(859) 258-3621

From: Kevin Wente
Sent: Friday, November 09, 2012 6:35 PM
To: Albert Miller; Brian Maynard; Charles Martin; Christopher Doerge; Chris King; Gary Warner; Jeffrey Neal; Jerry Hancock; Jim Woods; Keith Jackson; Paul Hockensmith; Robert Bayert; Rodney Chervus; Samuel Williams; Steve Feese
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Kevin

Kevin Wente
Lexington-Fayette Urban County Government
Department of Environmental Quality & Public Works
200 E. Main St. 9th Floor
Lexington, KY 40507

Phone: 859-258-3407
e-mail: kwente@lexingtonky.gov

-----Original Message-----

From: Rena Wiseman [mailto:rwiseman@ballhomes.com]
Sent: Thursday, November 01, 2012 5:02 PM
To: Kevin Wente
Cc: Ray Ball; Mike Ball; Lisa Ball; Brian Stephens, PE
Subject: FW: Emailing: Enclave AFRP 1-A-1

Kevin,

Thanks for explaining the process for dedicating a private street to the Government. As I explained, Ball Homes has purchased Lochmere Estates, a subdivision located on Chilesburg Road. The streets have been constructed

11/12/2012

Kevin Wente

From: Paul Hockensmith
Sent: Monday, November 12, 2012 7:12 AM
To: Kevin Wente
Subject: RE: Emailing: Enclave AFRP 1-A-1

No problem

Paul E. Hockensmith
859-258-3583

From: Kevin Wente
Sent: Friday, November 09, 2012 6:35 PM
To: Albert Miller; Brian Maynard; Charles Martin; Christopher Doerge; Chris King; Gary Warner; Jeffrey Neal; Jerry Hancock; Jim Woods; Keith Jackson; Paul Hockensmith; Robert Bayert; Rodney Chervus; Samuel Williams; Steve Feese
Subject: FW: Emailing: Enclave AFRP 1-A-1

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Kevin

Kevin Wente
Lexington-Fayette Urban County Government
Department of Environmental Quality & Public Works
200 E. Main St. 9th Floor
Lexington, KY 40507

Phone: 859-258-3407
e-mail: kwente@lexingtonky.gov

-----Original Message-----

From: Rena Wiseman [mailto:rwiseman@ballhomes.com]
Sent: Thursday, November 01, 2012 5:02 PM
To: Kevin Wente
Cc: Ray Ball; Mike Ball; Lisa Ball; Brian Stephens, PE
Subject: FW: Emailing: Enclave AFRP 1-A-1

Kevin,

Thanks for explaining the process for dedicating a private street to the Government. As I explained, Ball Homes has purchased Lochmere Estates, a subdivision located on Chilesburg Road. The streets have been constructed but no new homes have been constructed. We have received approval of amended plats creating additional lots, copies of which are attached. The plats have not been recorded but will be recorded in the near future. We have also decided that it would be better for the subdivision to be one with public streets rather than a gated community with private streets as planned by the original developer. Therefore, we are requesting that the Council accept the two streets, Lochmere Lane and Lochmere Place, as public.

11/12/2012