



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

Jim Gray
Mayor

David L. Homes
Commissioner

MEMORANDUM

To: Keith Horn, Managing Attorney
From: Chester Hicks, Administrative Officer
Date: September 17, 2015
RE: Proposed closing of Longwood Road (Bravington Way)

This memorandum is to request the legal review of the Longwood Road proposed permanent closing. The appropriate LFUCG Division Directors and utility company representatives have responded with comments and those comments are enclosed for your review. The property owner (Leah Keller) will accept full responsibility of the maintenance and repair of the right-of-way. Should you have any questions regarding this request please feel free to contact me at 258-3407.

The request and pertinent support materials were circulated among various divisions and utility representatives to determine impacts to current operations. The comments can be summarized as follows:

LFUCG Divisions:

Div. of Planning: Before Planning can complete its review, additional information is needed. Won't most of the closed right-of-way actually revert to the adjoining property frontage, i.e., 910 and 920 Bravington Way? If so, won't the owner of 916 need agreements with those owners to have the property join with 916? Even if that were accomplished, the lot could potentially be non-conforming in its width.

If they do either have, or can obtain such an arrangement, I think we need to have an understanding of what the owner of 916 intends to do with the property. A preliminary subdivision plat was approved by the Planning Commission in 2006 to divide the property into a number of lots. That plan has expired and new approvals would be necessary prior to any development. The proposal was very controversial and a great deal of 916 is classified as environmentally sensitive land, so there should be a review of an alternate proposal before we proceed with closure.

It appears that 916 is now owned by a bank. I suspect they foreclosed on the developer at some point.

This is a problematic property, and closure may be the best course of action, but more information should be provided. (Chris King)

Div. of Engineering: Per your request, we have investigated the potential release of right-of-way fronting 916 Bravington Way. In May 1971 this right-of-way was created with the plat *Grasmere Subdivision Unit 1-A* (Cab A: Slide 242) and was to be named Longwood Road. The street was to be 31 feet from back of curb to back of curb with a utility strip of 9 ½ feet, a 4 foot sidewalk and a 1 foot back-of-walk easement (total of 60 feet dedicated

right-of-way). Longwood Road was not continued from Bravington Way and the residual land behind the lots (910 and 920 Bravington Way) remained in an undeveloped state. In 1974 an amended development plan *Grasmere Unit 1* was filed, which proposed a cul-de-sac (with the street named Bravington Ct.) accessing two lots. In March 2007 another amended development plan, *Grasmere Subdivision Unit 5 (plan 2006-233P)*, was filed proposing the creation of Ambleside Court and four lots.

It should be noted that there is an existing storm sewer pipe running into the potential right-of-way to be released. This 15" reinforced concrete pipe connects to the catch basin across Bravington Way; runs approximately 70 feet into the right-of-way to be released and does not daylight. It is burred and the existing water collected from Bravington Way is dissipated through the soil. This pipe was never connected due to the property at 916 Bravington Way never being developed.

At this time the Division of Engineering does not foresee any reason to retain the right-of-way in question. We do request that the recipient address the storm issues with the buried drainage pipe (dedicating easements as needed to solve the problem), remove the curb and gutter, remove the asphalt, re-establish the grade, construct a sidewalk continuous with the existing sidewalks, construct a residential entrance consistent with LFUCG Standard Drawing 307 and file an amended plat. (Andrew Grunwald)

Div. of Water Quality: The Division of Water Quality has no issues with closing the subject portion of Longwood Drive. (Steve Farmer)

Fire Department: The Division of Fire has no issue with the transfer of right-of-way at 916 Bravington Way. (Cpt. Greg Lengal)

Lexington Enhanced 911: The Division of Enhanced 9-1-1 has no opposition to this proposal. (Robert Stack)

Traffic Engineering: Traffic Engineering has no facilities of any sort on Longwood Road R/W and no objection to transferring the area to the abutting property owners. (Jeffrey Neal)

Utilities:

Kentucky Utilities: Kentucky Utilities Company has reviewed the proposed right-of-way closing and has no objections. (Kevin Long)

Kentucky American Water: Kentucky American **DOES** have facilities in the Longwood Rd right-of-way which is proposed to be closed. Accordingly, we will **Require** easement rights be retained and copy of easement provided on Longwood Rd before final consent be given. (Tobey Adams)

Windstream: We have reviewed the plat for closure of Longwood Road as described on the attached file. Windstream has no objection to this closure. (Lezlie Allison)

Chester Hicks, Administrative Officer

