



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: June 17, 2021
RE: Proposed closing of King Street

This memorandum is to request the legal review of the King Street 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 (Thistle Holdings, LLC) 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: The Division of Planning has no objection to this closure. Consolidations plats should be required as a condition of the closure so that the final disposition of the closed rights-of-way is well documented. (Chris King)

Div. of Engineering: The DOE does not object to the closure of West King Street if a minimum of 40 feet can be reserved for a shared use trail that will parallel Newtown Pike. The western end of King Street will need to be able to accommodate a trail that will go from 4th Street to Main Street along Newtown Pike. (Keith Lovan)

Div. of Waste Management: No issues. We only service part of Henry street for residential and the other part is commercial. King Street is off of Henry. (Russell Scott)

Div. of Water Quality: We have reviewed the requested King Street Closure and recommend the following:

There is a sanitary sewer line running the length of W. King Street and it will be necessary for the requesters to provide a 20' easement (10' either side) for the sewer line centered on the exact location of the sewer.

The sewer line will have to be surveyed and exactly located on the plat with the easement shown on the plat.

If when the easement is drawn on the plat, the proposed border of the easement falls outside the existing right of way, the edge of the easement should then start at that right of way line and then 20' into the existing right of way. So even if the sanitary sewer is not located in the exact center of the West King Street, it will still be necessary to have a complete 20' wide easement. (Steve Farmer)

Fire Department: The closing of West King Street will have no negative effect to the Division of Fire. (Cpt. Greg Lengal)

Lexington Enhanced 911: This request has been reviewed by the E911 Addressing Office. There is no opposition to the request. (Robert Stack)

Police Department: Police has reviewed this street closure and determined that it will not adversely impact their operations. (Mark Barnard)

Traffic Engineering: Traffic Engineering has no objection to releasing the last remaining portion of right-of-way between Newtown Pike and the L & N Railroad tracks. This street segment has essentially been closed and unused by the public for a number of years.

Two (2) existing streetlights in the area will need to be removed or bills transferred to the future owners of the property if they wish to keep them. Furthermore, several utility lines are located within this right-of-way. Easements will need to be created until they are appropriately dealt with through the development process.

Utilities:

Kentucky Utilities: KU has no facilities in the area. (Gary Houck)

Kentucky American Water: KAWC has no problem with this closure. (Tobey Adams)

Windstream: This closing has no adverse effect on Windstream - we are ok with the closing. (Ashley L. Sanders)

Chester Hicks, Administrative Officer