

JAMES ONNEN 4100 ABBEYWOOD VILLAGE DRIVE LOUISVILLE KY 40241

APRIL 5, 2016

Ms. Julia Williams, Case Manager
Louisville Metro Planning and Design Services
444 S. Fifth St. Third Floor
Louisville Ky 40202

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Ref: Case 15zone1070

Two documents are attached regarding the apartment project planned under this case.

Traffic Study dated March 1, 2016

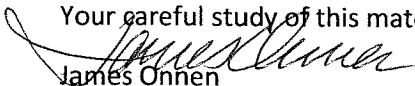
Traffic and Road System Analysis dated April 5, 2016

I am a resident of the Village of Abbeywood, a neighborhood that will be impacted by the apartment project described in the referenced case. I serve on the neighborhood governing board for the community, however this work was not done specifically for the board.

Many Abbywood residents have voiced their disapproval of the project, as evidenced by more than 75% of the residents signing the petition to have the public meeting at a time and place making it practical for them to attend.

The traffic study is of limited scope, intending only to deal with traffic entering and exiting Simcoe Lane at Brownsboro Road, and identifying the traffic that exits Simcoe Lane through the Avish Gardens parking lot in order to safely access Brownsboro Road westbound.

Your careful study of this material will be greatly appreciated.


James Onnen

Cc: Mr. Jeff Wilson, President

Village of Abbeywood Homeowners Association

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TRAFFIC AND ROAD SYSTEM
ANALYSIS

CASE 15ZONE1070

James Onnen

April 5, 2016

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ISSUES WITH APPLICANTS TRAFFIC STUDY

TRAFFIC PROJECTIONS

In the March 1 developer's traffic report, current traffic on Brownsboro Rd was shown as 23,100vpd. In the March 8 meeting it was pointed out to Ms Zimmerman that the 23,100 figure was from 2008, not 2015.. The traffic count was updated in the March 17 report, with an estimated figure of 33,000 vpd. This calculates to an increase of more than 5% per year since 2008, yet in projecting traffic through 2019 an annual increase of only 2% was used. The 2% rate appears to be a serious understatement, and needs to be adjusted upward.

Neither of these rates would appear reasonable once the East End bridge project is completed. Brownsboro Rd. is the first surface road exit south of the bridge on I-265, and the last surface road entrance onto I-265 north prior to the bridge. Within a fraction of a mile from this interchange, there are many restaurants, hospital and medical facilities and retail stores. It should be expected that much through traffic will exit for use of these facilities, and that they will also be destinations for Indiana residents living near the interchange at Old Salem Road. Neither of these types of traffic sources appear to have been considered in the traffic projections.

LOCATIONS STUDIED

Traffic movements appear to have been studied at only two locations; Simcoe Lane at Brownsboro Rd., and the Avish Gardens exit at Brownsboro Rd. There are at least two additional locations that impact or are impacted by the proposed project.

First, there is a traffic light on Brownsboro Rd. just a few hundred feet east of Simcoe Lane that controls ramps to and from I-265 as well as Brownsboro Rd. When the light is red for eastbound traffic on Brownsboro Rd., traffic backs up through the Simcoe Lane intersection, blocking left turns from Brownsboro Rd. That left turn lane is only 300 ft long, not 350 ft as reported by Ms. Zimmerman to Ms Markert. Once traffic growth is more accurately projected it is likely that the turn lane will not be sufficient to accommodate vehicles needing to turn into Simcoe Lane, cars will be backed up into the inside traffic lane and delays will be substantial. See attached photos.

Second, there is a 4 way stop sign in the path of vehicles cutting through the parking lot in Avish Gardens that has not been studied. By not including delays at this location, the overall delays for vehicles using that path are understated; ie, the stoplight at Brownsboro Rd. is not the only delay point along that path. See

TRAFFIC DISTRIBUTION

A review of the applicant's traffic counts, traffic projections and delay times for the PM Kentucky 22 westbound left turns shows:

2016 peak hour count	114	11.9 second delays
2019 no Build volume	135	13.5 second delay
Trip distribution for site	58	
2019 Build peak hour	193	16.4 second delay

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The increase in delay time from the no Build to the Build condition, from 13.5 to 16.4, is an increase of 21.5%.

Traffic distribution from the site, however, was not done properly. Total site generated traffic was 98 trips, with 40 shown from the west and 58 from the east, giving a distribution of 40.8% from the west and 59.2% from the east. At article 4.3.4 of the KYTC Traffic Impact Study Guidelines it dictates that "Trips generated by the development should be distributed onto the public roadway network consistent with existing traffic patterns in the area ----." and a calculation process is described.

The current distribution is shown as 114 trips from the east and 15 from the west, for a distribution of 11.6% from the west and 88.4% from the east. Using this distribution, the site would produce 86 trips from the east, not 58 trips, and the delay increase should be expected to be greater than 30%, not the 21.5%. A delay increase of more than 30% is unacceptable under Article 5.1 Operational Thresholds of the KYTC guidelines which states "At existing intersections, average intersection delay shall not exceed 80 seconds and shall not increase more than 30% over the No Build condition." Other traffic increase information may be similarly impacted.

RISKS OF RESIDENTIAL TRAFFIC USING PARKING LOT PATH

The applicants report does not address the pathway to be taken through the parking lot, and the hazards and risks associated with it. The east-west portion of the route is less than 500ft. long. In that short distance there are 10 locations where vehicles can enter and exit the parking areas creating opportunities for accidents and causing traffic to slow to a crawl. Pedestrian traffic is not controlled, and there are no sidewalks. There is a compound curve at the east end, restricting vision. Since it is not publicly owned, a police report cannot be secured in the event of a non-injury accident, whether for insurance or other purposes. The north-south path is shorter, and has a service entrance/exit at a service station that causes delays and hazards. This pathway simply does not meet public road standards. The risks are far greater than on a regulated public street or road. See attached photos.

Residents of the proposed apartments will likely not be aware of the possible financial risk of using this traffic route. In the event of a non-injury accident it would not be possible to secure a police report for insurance or other purposes. While it may not completely relieve local government of any

responsibility, for not clearly revealing this risk, it would seem important that it be addressed in all apartment leases in fairness to prospective tenants.

THE APARTMENT SITE IS NOT SUFFICIENTLY SERVED BY THE PUBLIC ROAD SYSTEM

There are many references to streets, roads and vehicular traffic in the Land Development Code. Among them are the following that clearly apply to this zoning case:

6.1.1

“The site access approval procedures established herein are intended to balance the right of reasonable access to private property with the right of the citizens of Louisville to safe and efficient travel.”

Apartment tenants are certainly citizens of Louisville. By not having “safe and efficient” access to westbound Brownsboro Rd. and having to get that access by driving through a privately owned parking lot, the objective of this article is clearly not met.

Page 62, Section 3

“---, expected traffic entering and exiting the site, and assignment of those trips to the street system.”

Applicants study only actually assigned part of the trips directly to the street system. The remainder were assigned directly to a parking lot, providing them with fewer rights than on a public street.

At Section 5

“---briefly describe the roadway systems ability to handle the traffic generated.”

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The applicant greatly understates the inability of the public road system to handle the traffic generated, stating only that “Due to the existing difficulty of making a left turn from Simcoe Lane during the peak hours, the left turns have been added to the Avish Gardens exit.” It would appear more accurate to state that, from the left turn traffic counts off Simcoe Lane, drivers have concluded that the risks of accidents and delays are too great to attempt that maneuver, so we will shove this traffic through a private parking lot. In a January 8 email to Ms. Zimmerman, Ms Markert tends to reinforce this conclusion, stating “This became more apparent ---once I pulled the accident data.” The public road system is not capable of handling the present traffic, let alone that to be added by the proposed development.

Nearly all present traffic in the area, both on Simcoe Lane and at the commercial parking lot, is business related. There are only four residences on Simcoe Lane, and they were constructed long before the closing of Simcoe to through traffic, and long before construction of I-265 and enormous development along Brownsboro Rd., and these homes will be taken by the proposed development. Nearly all drivers are going to or from a commercial destination, and surely expect that they will need to use a parking lot in order to do so. This is not the case with future residents of the apartment building. They will be travelling to and from their homes to various destinations. They have every right to expect that, once they enter the public road system on Simcoe Lane that they can stay on that road system to their destination.

Residents of the apartments are not being given the "right to safe and efficient travel" as set forth in the Land Development Code. They have every right to expect that, once they enter the public road system on Simcoe Lane that they can stay on that road system to their destination

Availability of using the parking lot for through traffic would appear to be at the whim of its owners. There are presently signs posted regulating truck traffic. It is both possible and likely that, at such time that through traffic interferes with that of patrons of businesses served by the lot, the owners could simply post a sign preventing through traffic.

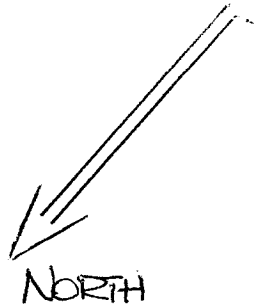
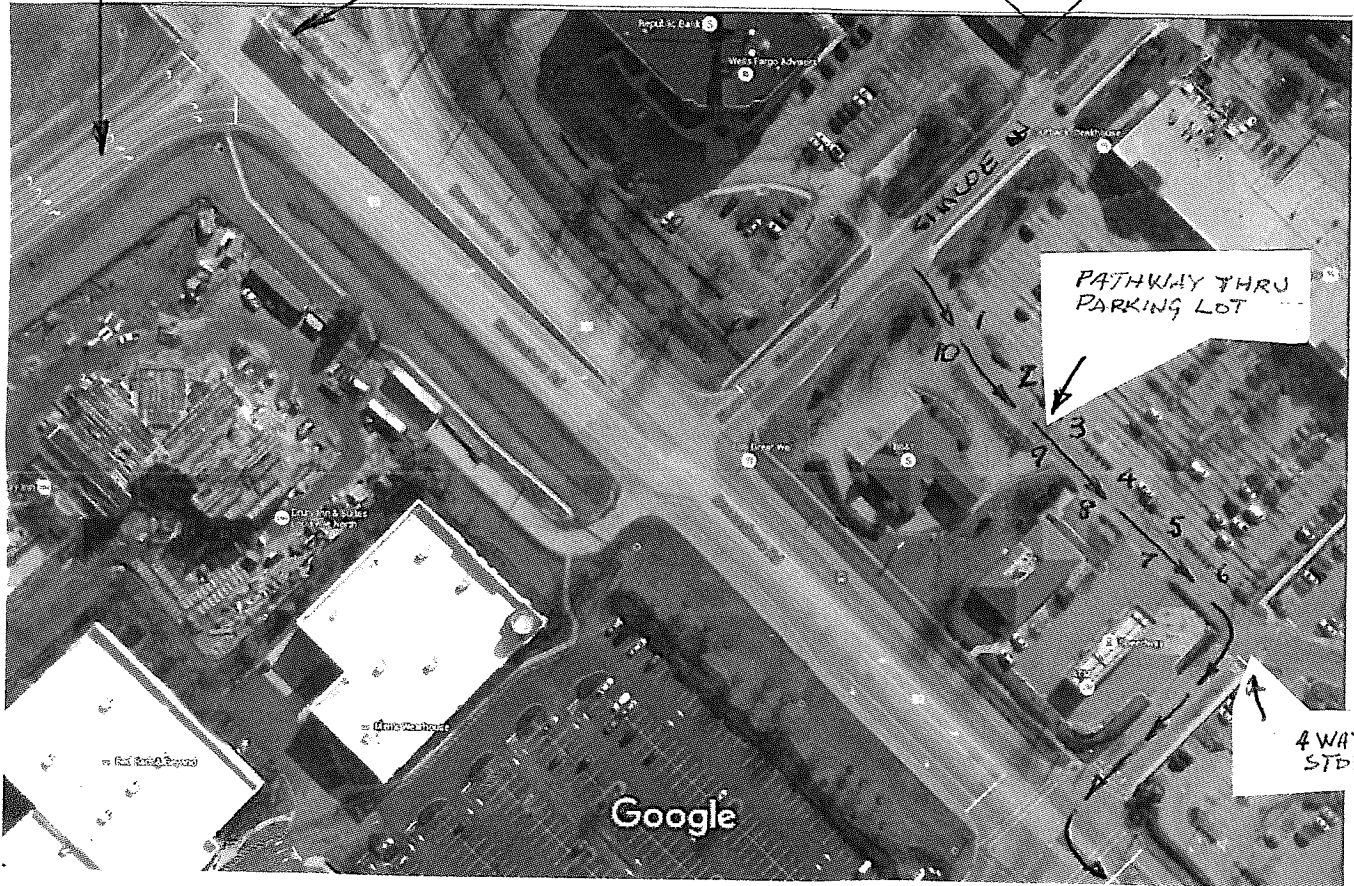
This project should not be approved.

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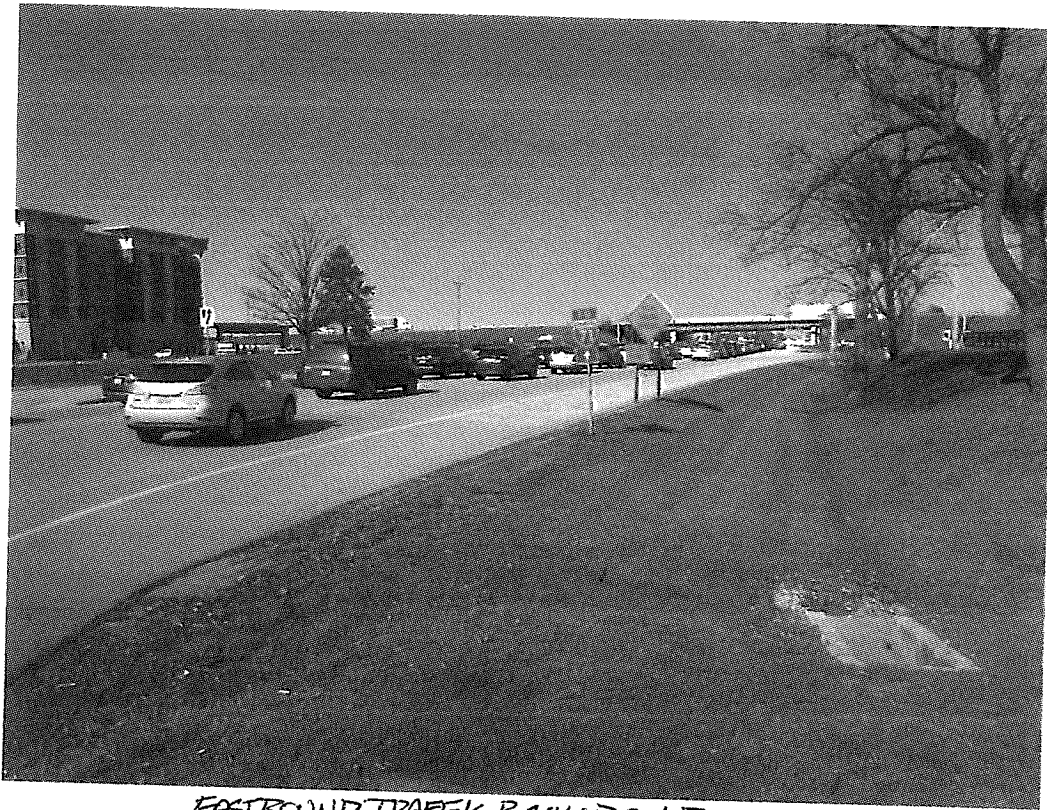
I-265 SOUTHBOUND
EXTRAMP

STOPLIGHTS

PROPOSED
APARTMENTS



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EASTBOUND TRAFFIC BACKUP ON BROWNSBORO RD
AT I-265 RAMPS VIEWED FROM SIMCOE LN



WESTBOUND PATHWAY THRU PARKING LOT
VIEWED FROM SIMCOE LANE

TRAFFIC
AND
SITE ACCESS STUDY
CASE 15ZONE1070
MARCH 1, 2016

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James Onnen
BSME, MBA

The initial purpose of conducting a limited-scope traffic study was to determine the present traffic flow on Simcoe Lane, and the extent of backups or delays at the intersection with Ky Rt 22(see map 4). Upon analyzing field data it became apparent that there was a threshold issue of even greater significance, that of whether the planned development is actually fully served by the public roadway system.

It is realized that, while our field work was done by graduate engineers with decades of technical experience in several specialties, it was not done by certified traffic engineers. We are confident that their work was done competently, and met the basic standards of counting on Tuesdays through Thursdays, from 7-9 am and from 4-6pm, on days with schools in session and at times when roads were clean and no precipitation. Field logs, traffic path diagrams and other details a part of the traffic counts are attached (see sheets 1 thru 12)

Traffic on Simcoe Lane is almost entirely business/commercial. There are only 4 residences on the street, and those properties are to be taken by the developer for the proposed apartment building (see maps 1 and 2). These residences remain from the time period several decades ago when Simcoe Lane was a through street from Ky Rt 22 to Westport Road (see map 3), and prior to the substantial residential and commercial development in the general area, as well as the construction of I-265. Traffic level on Ky Rt 22 in the area of the Simcoe Lane intersection has grown from less than 4400 vpd in 1993 to 23,100 vpd according to the most recent count made in 2008 (see trip generation sheets 1 and 2). With the ongoing development in the general area, traffic flow is reasonably assumed to be much greater in 2016.

Results of the traffic counts revealed that more than10% of the peak hour traffic had turned onto Simcoe Lane from eastbound Ky Rt 22, yet less than 1% of the peak hour traffic travelling north on Simcoe Lane turned to go back west onto Ky Rt 22 (see traffic comparison sheet 1). Instead, the traffic that would have made that left hand turn left the public road system, drove through the commercial parking lot immediately west of Simcoe Lane, and subsequently turned north to enter Ky Rt 22 at a stoplight. It appears a reasonable conclusion that drivers felt compelled to avoid the dangers or delays of attempting to turn left onto Ky Rt 22, as it requires crossing two lanes of 35 mph eastbound traffic and making a nearly blind turn into two lanes of westbound traffic. There is not even a left turn lane at the intersection, nor is there road width to have one. During one peak hour observation period a vehicle travelling north on Simcoe Lane stopped at the intersection, waited more than a minute due to heavy cross traffic, then actually backed down Simcoe and turned left into the paved pathway shown on photo sheet 1, and drove west toward the 4 way stop noted on the photo

We do reserve the right to comment further upon having the opportunity to study the developers traffic study and related materials.

ATTACHMENTS:

Maps 1 thru 4

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Field data sheets 1 thru 12

Trip generation sheets 1 and 2

Traffic comparison sheet 1

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DATE 2-23-16

PATH SIMCOE LN ONTO E. BOUND RT 22

BY J.A. Owen
 START TIME 8:00 AM
 WEATHER: CLEAR

INTERVAL (MIN)	LEFT TURNS	DELAY TIME (SEC)				
		0-20	20-40	40-60	60-80	80+
0-15	-0-			-0-	-0-	-0-
	0	8	2	0	0	0
15-30	-0-			-0-	-0-	-0-
	0	15	1	0	0	0
30-45	-0-			-0-	-0-	-0-
	0	7	1	0	0	0
45-60	1					
	1	7	2	0	0	0
TOTALS	1	37	6	0	0	0

DATE 2-23-16

PATH SIMCOE TURN ONTO EASTBOUND RT 22

BY J.A. Owen
 START TIME 5:00 PM
 WEATHER: CLEAR

INTERVAL (MIN)	LEFT TURNS	DELAY TIME (SEC)				
		0-20	20-40	40-60	60-80	80+
0-15	-0-					-0-
	0	27	27	7	3	0
15-30	-0-				-0-	-0-
	0	9	11	3	0	0
30-45	1				-0-	-0-
	1	31	9	1	0	0
45-60	0					-0-
	0	19	5	9	1	0
TOTALS	1	86	52	20	4	0

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VEHICLE DELAY COUNTS

SHEET 1 OF 12

15 ZONE 1070

DATE 2/25/16

PATH LEFT TURN ON TO SIMCOE FROM WESTBOUND RT 22

BY Bill Doyal

START TIME 8:00 - 9:00 AM
WEATHER: CLEAR

INTERVAL(MIN)	DELAY TIME(SEC)				
	0-20	20-40	40-60	60-80	80+
0-15	HTT HTT HTT HTT 1 (21)	HTT 11 (7)	11 (3)		0
15-30	HTT HTT HTT HTT HTT HTT HTT (21)	11 (7)	11 (3)		0
30-45	HTT HTT HTT HTT HTT HTT HTT HTT HTT HTT HTT HTT (25)				0
45-60	HTT HTT HTT HTT HTT (25)				0
	(144)	(8)	(4)	(0)	(0)

11 11 11 11 11

DATE 3/1/16

PATH LEFT TURN ON TO SIMCOE FROM WESTBOUND RT 22

BY Bill Doyal

START TIME 5:00 - 6:00 PM
WEATHER: CLOUDY

INTERVAL(MIN)	DELAY TIME(SEC)				
	0-20	20-40	40-60	60-80	80+
0-15	HTT HTT HTT HTT HTT HTT HTT (35)	11 11 (11)			0
15-30	HTT HTT HTT HTT (24)	HTT HTT (7)	HTT 11 (8)		0
30-45	HTT HTT HTT HTT HTT HTT HTT HTT (35)	HTT HTT (7)	11 (3)		0
45-60	HTT HTT HTT HTT HTT (25)	11 (2)			0
	(119)	(31)	(10)	(1)	(3)

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VEHICLE DELAY COUNTS

VEHICLE COUNT

LOCATION: SIMCOE LANE AT LY RT 22

DATE: 2/4/16

DAY OF WEEK: THURSDAY

WEATHER: CLEAR

START TIME: 7:00 AM

COUNT TAKEN BY: BILL DOYAL

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7:00-9:00 AM INTERSECTION	①	VEHICLE ②	③	④	
0-15 MIN					21
15-30 MIN				-	20
30-45 MIN				-	24
45-60 MIN				-	29
60-75 MIN				-	40
75-90 MIN				-	40
90-105 MIN				-	37
105-120 MIN				-	48
60-120 MIN PEAK HOUR		16	113	35	1

165 PEAK HOUR

VEHICLE COUNT

LOCATION: SMOGUE LN, WEST TO PARKING LOT, NORTH
AT 4WAY STOP TO KP, RT 22

DATE: 2/4/16

DAY OF WEEK: THURS.

WEATHER: 35°F CLEAR

START TIME: 7:00AM

COUNT TAKEN BY: JAMES OWEN

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TIME SEGMENT	VEHICLE TYPES			
	(1)	(2)	(3)	(6)
7:00-9:00 AM				
0-15 MIN	11		11	
15-30 MIN			11	
30-45 MIN			11	
45-60 MIN			11 11 11	
60-75 MIN			11	
75-90 MIN		1	11 11 11	1
90-105 MIN			11 11	
105-120 MIN	1		11 11 11	

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VEHICLE COUNT

LOCATION: SIMCOE LN AT KYRTZ

DATE: 2/4/16

DAY OF WEEK: THURSDAY

WEATHER: CLEAR

START TIME: 4:00 PM

COUNT TAKEN BY: BILL DOYAL

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TIME SEGMENT	VEHICLE COUNTS				TOTAL
	①	②	③	④	
0-15 MIN	1	10	10	1	105
15-30 MIN	1	10	10	1	63
30-45 MIN	1	10	10	1	68
45-60 MIN	1	10	10	1	74
60-75 MIN	1	10	10	1	95
75-90 MIN	1	10	10	1	77
90-105 MIN	1	10	10	1	74
105-120 MIN	1	10	10	1	90
60-120 MIN Total	10	130	195	1	

SHEET 5 of 12

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VEHICLE COUNT

LOCATION: SIMCOE LN, WEST TO PARKING LOT, NORTH
AT 4th AVE STOP TO RPT 22

DATE: 2/4/16

DAY OF WEEK: THURSDAY

WEATHER: CLEAR

START TIME: 4:00 PM

COUNT TAKEN BY: JAMES ONNEN

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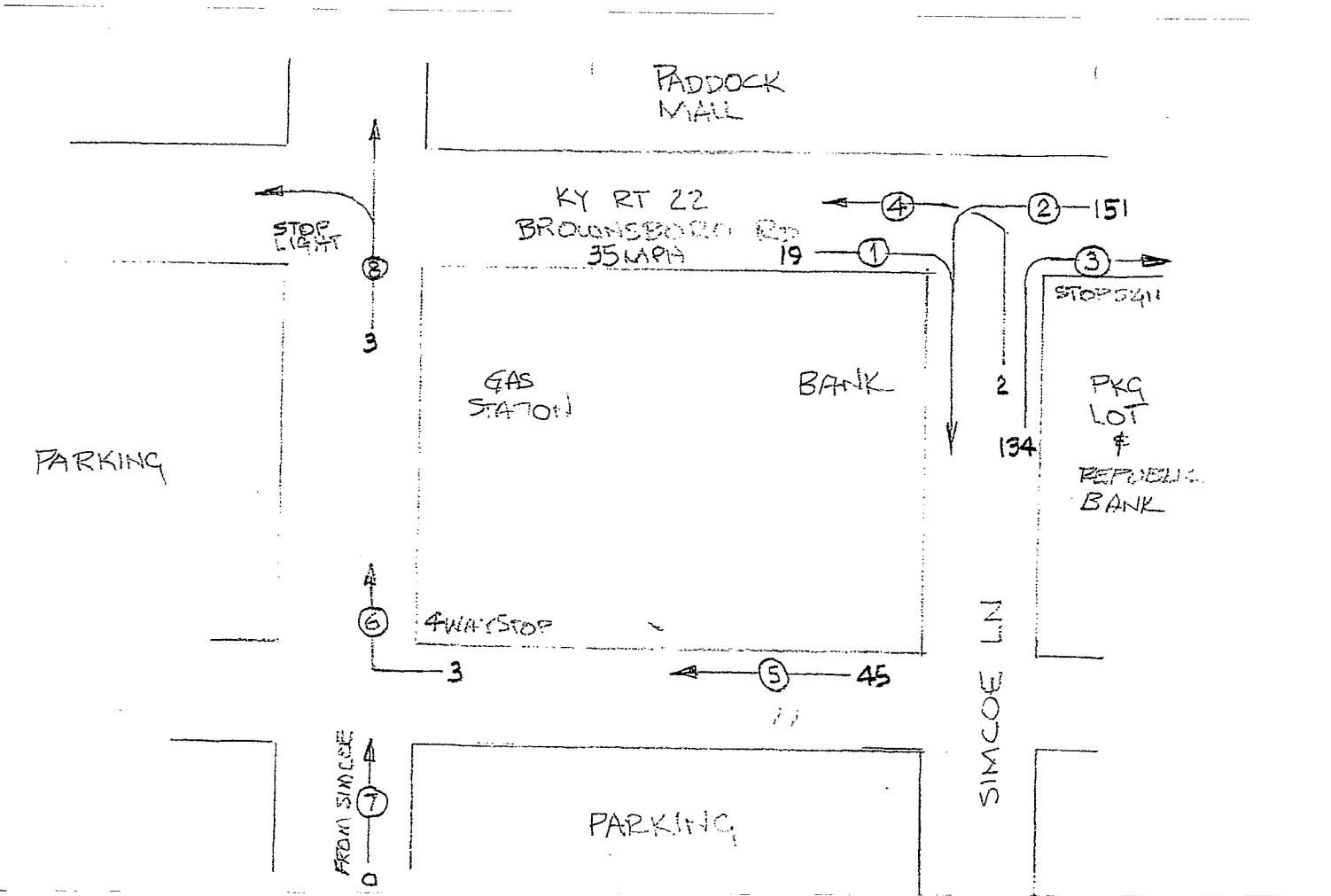
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TIME SEGMENT	VEHICLE COUNTS			
	(7)	(8)	(5)	(6)
0-15 MIN	II	III	II	III
15-30 MIN	III	II	II	II
30-45 MIN	III	II	II	II
45-60 MIN	III	III	III	III
60-75 MIN	III	III	III	III
75-90 MIN	III	III	III	III
90-105 MIN	III	III	III	III
105-120 MIN	II	II	II	II

PARKING

Sheet 12

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LEGEND



VEHICLE PATH

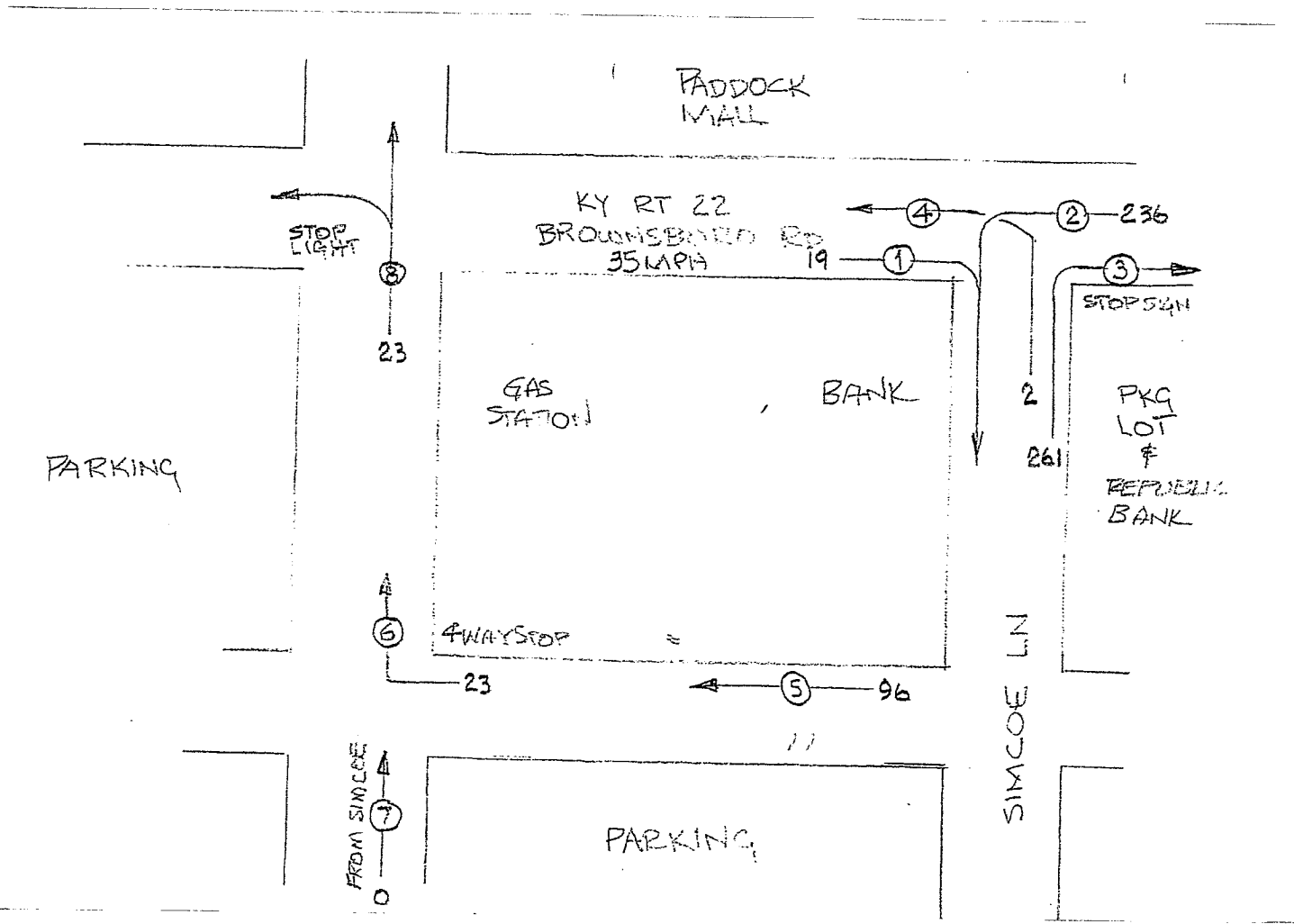
VEHICLE

COUNT

SKETCH IS NOT INTENDED TO SHOW ALL ROAD FEATURES, AND DIAGRAM IS ONLY FOR VEHICLE PATHS SHOWN



SEE MAP #1 FOR STUDY AREA

A.M. PEAK HOUR TRAFFIC - PRESENT COUNT + PROPOSED ADTS



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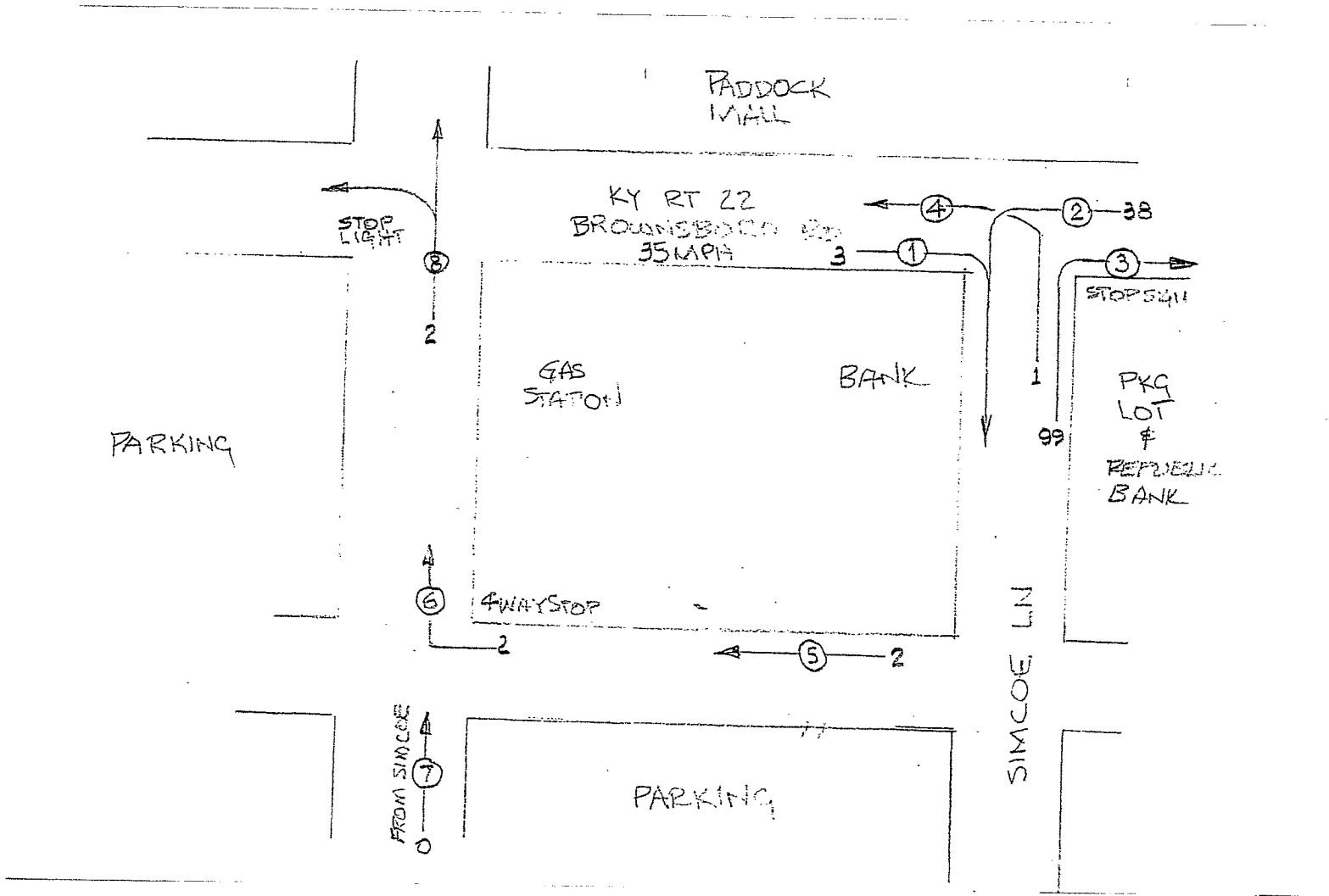
LEGEND

-  VEHICLE PATH
-  VEHICLE COUNT

SKETCH IS NOT INTENDED TO SHOW ALL ROAD FEATURES, AND DIAGRAM IS ONLY FOR VEHICLE PATHS SHOWN

SEE MAP #1 FOR STUDY AREA

P.M., PEAK HOUR TRAFFIC - PRESENT COUNT + PROPOSED AAS

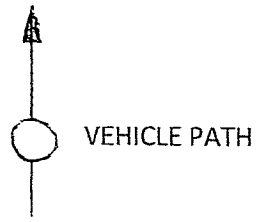


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LEGEND



VEHICLE

COUNT

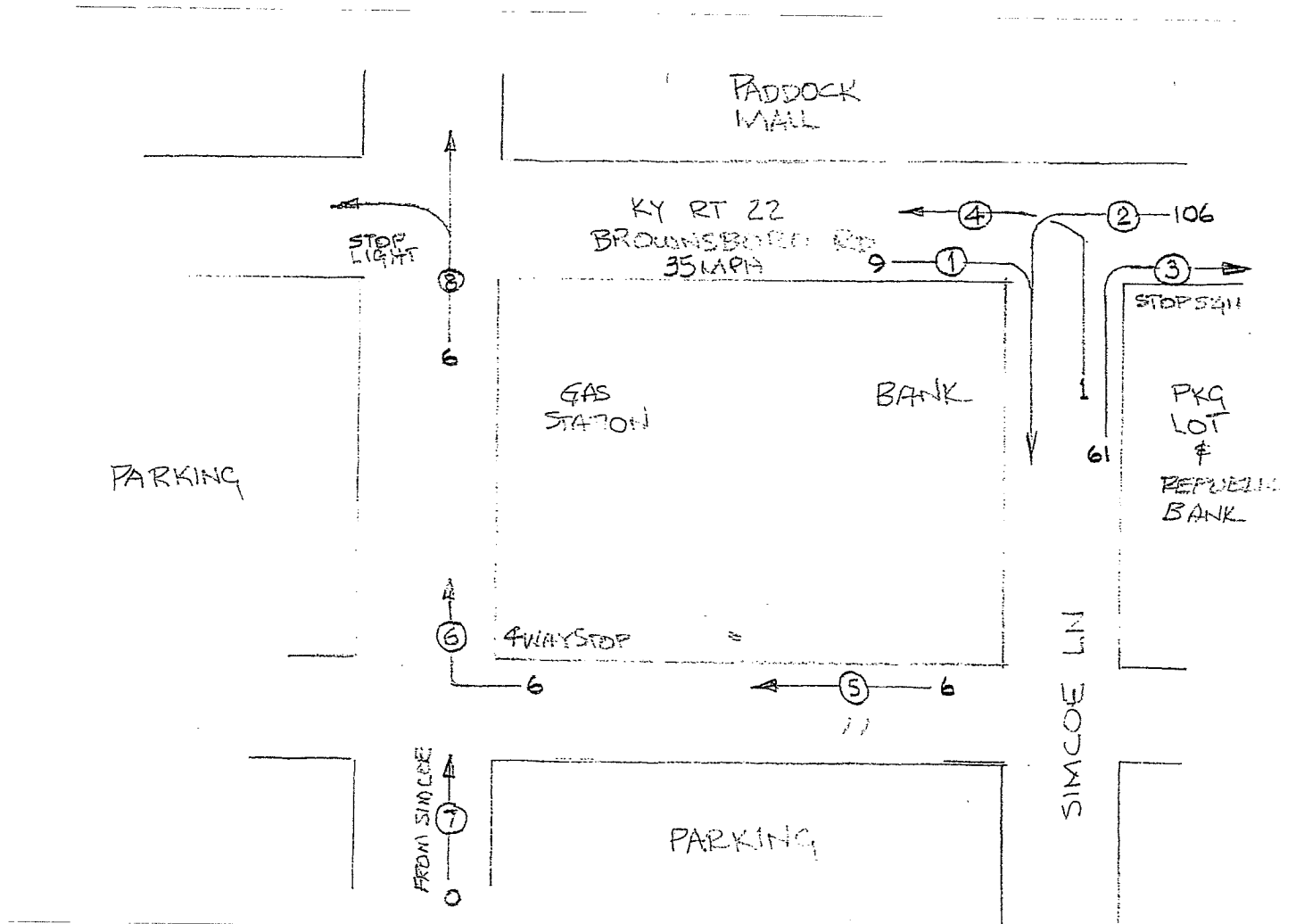
SKETCH IS NOT INTENDED TO SHOW
ALL ROAD FEATURES, AND DIAGRAM
IS ONLY FOR VEHICLE PATHS SHOWN

SEE MAP #1 FOR STUDY AREA

A.M. PEAK HOUR TRAFFIC - FROM PROPOSED ARTS.

15 ZONE 1070

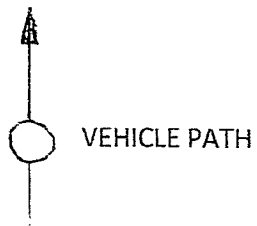
SHEET 9 OF 12



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LEGEND



VEHICLE

COUNT

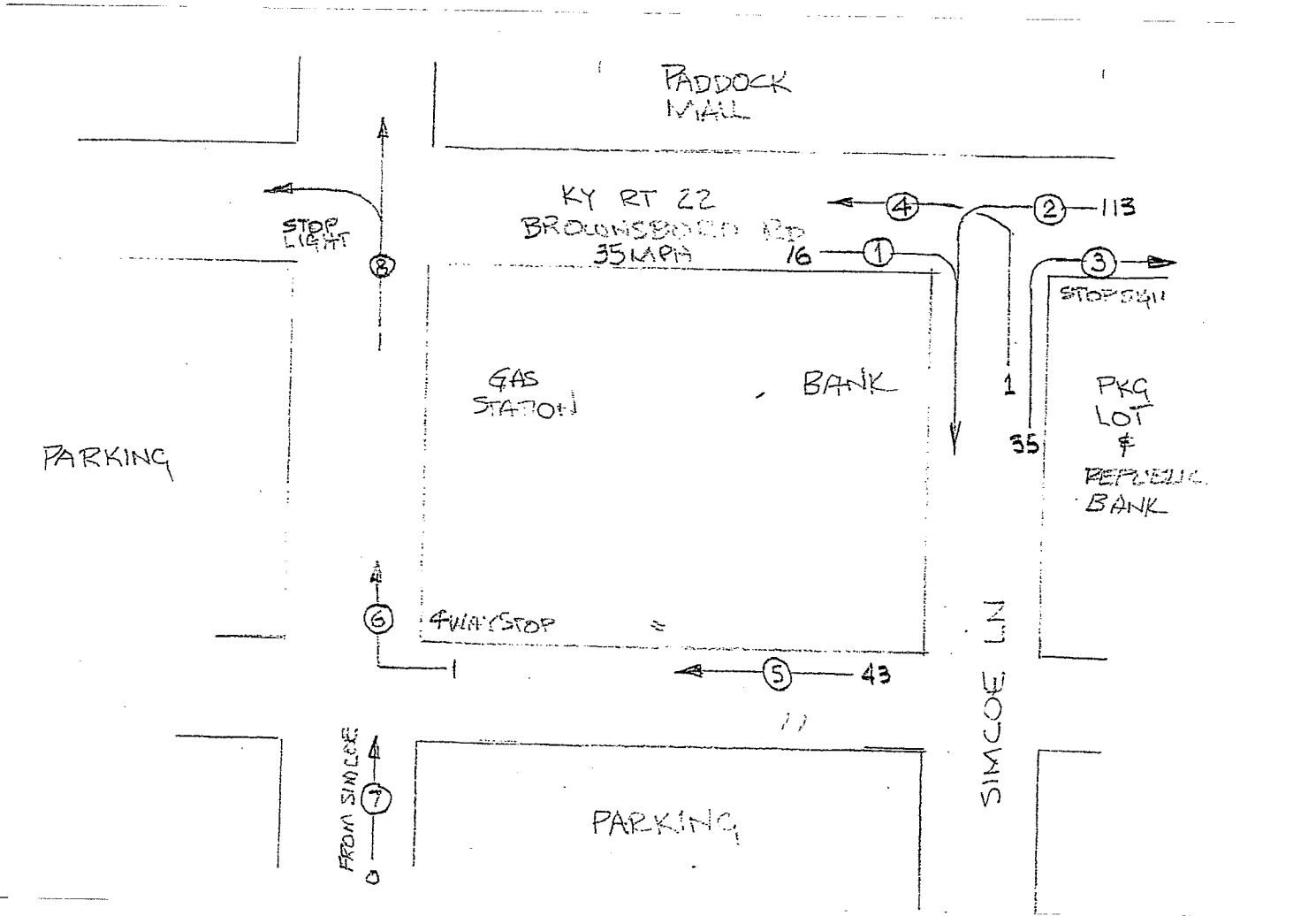
SKETCH IS NOT INTENDED TO SHOW
 ALL ROAD FEATURES, AND DIAGRAM
 IS ONLY FOR VEHICLE PATHS SHOWN

SEE MAP #1 FOR STUDY AREA

P.M. PEAK HOUR TRAFFIC - FROM PROPOSED APTS

15 ZONE 1070

SHEET 10 OF 12



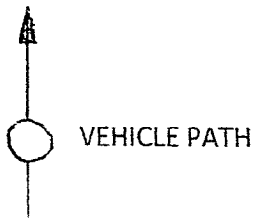
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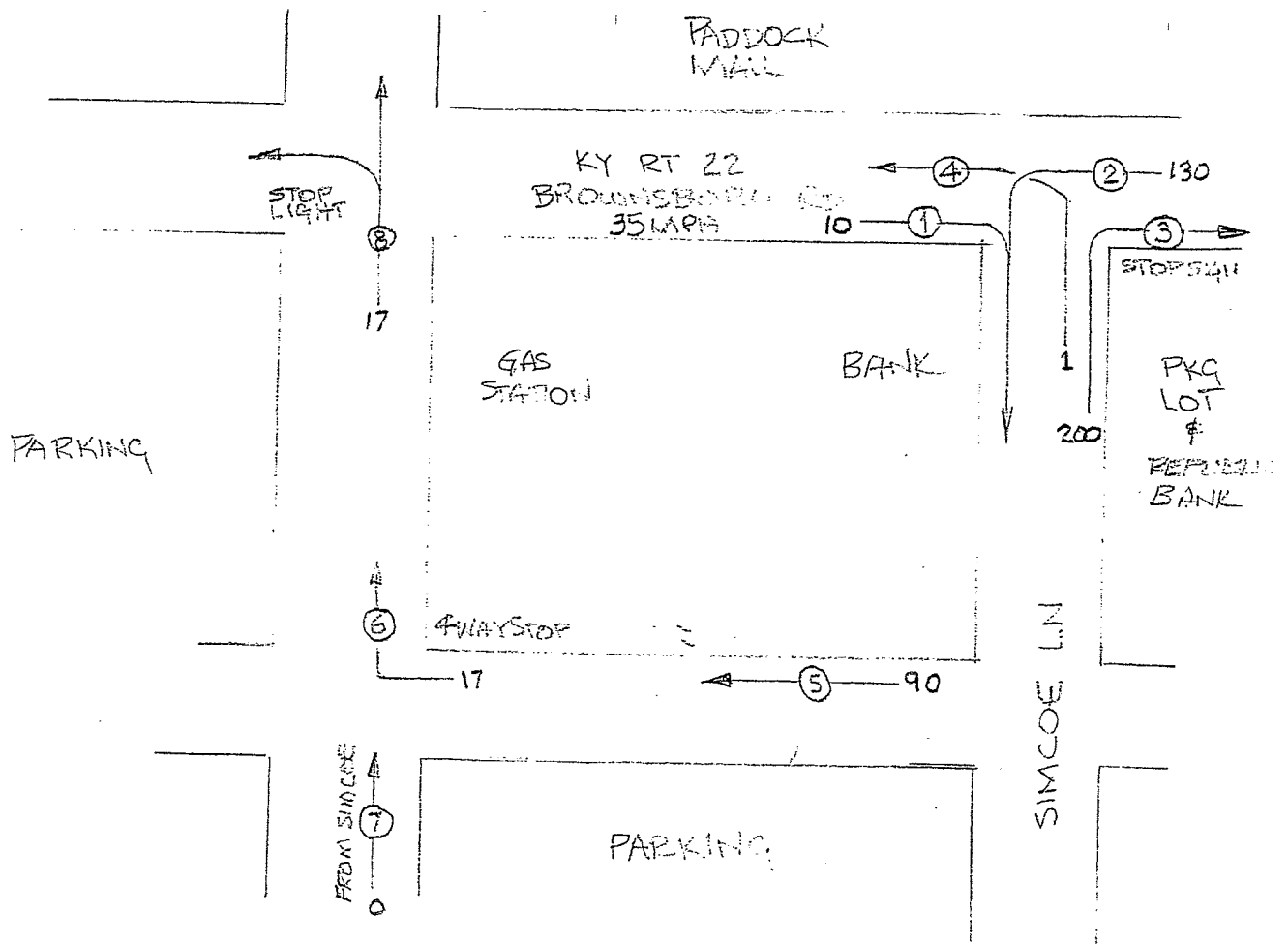
VEHICLE

COUNT

SKETCH IS NOT INTENDED TO SHOW ALL ROAD FEATURES, AND DIAGRAM IS ONLY FOR VEHICLE PATHS SHOWN

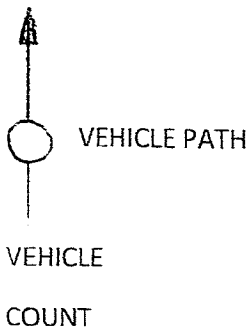
SEE MAP #1 FOR STUDY AREA

A.M. PEAK HOUR TRAFFIC - PRESENT COUNT



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SKETCH IS NOT INTENDED TO SHOW
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SEE MAP #1 FOR STUDY AREA

PM PEAK HOUR TRAFFIC - PRESENT COUNT

15 ZONE 1070

SHEET 12 OF 12

Pat and Jim

From: Adam Kirk <Adam@adamkirkpe.com>
Sent: Tuesday, January 19, 2016 11:43 AM
To: onne2399@bellsouth.net
Subject: KY 22 Data
Attachments: KY22_Data_Onnen.docx

Jim,

The attached word document has the estimated trips for the AM and PM peak hour based on the KYTC Trip Generation Spreadsheet and a summary of historical data for the count station on KY 22. It does not appear that any ADT counts have been completed since 2008. In conducting a Traffic Impact Study, new turning movement counts would be required at any intersections being studied.

Thanks,
Adam
859.421.2567

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TRIP GENERATION

AM PEAK HOUR TRIP GENERATION								
ITE Land Use Code	Land Use Description	Ind. Var. (X)	Ind. Var. Units	Entering/Exiting	Trips Generated	Internal Trips	Pass-by Trips	Primary Trips
TOTAL	ALL	-	-	Total entering	41	0	0	41
		-	-	Total exiting	102	0	0	102
220	Apartment	260	Dwelling Units	entering	41	0	0	41
				exiting	102	0	0	102

PM PEAK HOUR TRIP GENERATION								
ITE Land Use Code	Land Use Description	Ind. Var. (X)	Ind. Var. Units	Entering/Exiting	Trips Generated	Internal Trips	Pass-by Trips	Primary Trips
TOTAL	ALL	-	-	Total entering	106	0	0	106
		-	-	Total exiting	68	0	0	68
220	Apartment	260	Dwelling Units	entering	106	0	0	106
				exiting	68	0	0	68

HISTORICAL TRAFFIC COUNT DATA

http://datamart.business.transportation.ky.gov/EDSB_SOLUTIONS/CTS/StationDetail.aspx?STATION=056V27&TF_NE_ID=17283490

Historical Traffic Volume Summary
Station Details:

Sta ID:	056V27
Sta Type:	Volume
Map:	MapIt
District:	5
County:	Jefferson
Route:	056-KY-0022 -000
Route Desc:	

Begin MP:	3.6960
Begin Desc:	KY 1474 (SPRINGDALE ROAD)
End Mp:	4.1080
End Desc:	1 265 (GENE SNYDER FREEWAY)
Impact Year:	2003
Year Added:	

Newest Count:

AADT:	23100
Year:	2008
% Single:	
% Combo:	
K Factor:	
D Factor:	

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Definitions:

Sta. ID - Three digit county number + station number

MP - milepoint

Impact Year - year of significant change to traffic pattern within station segment

AADT - Annual Average Daily Traffic - the annualized average 24-hour volume of vehicles on a segment of roadway

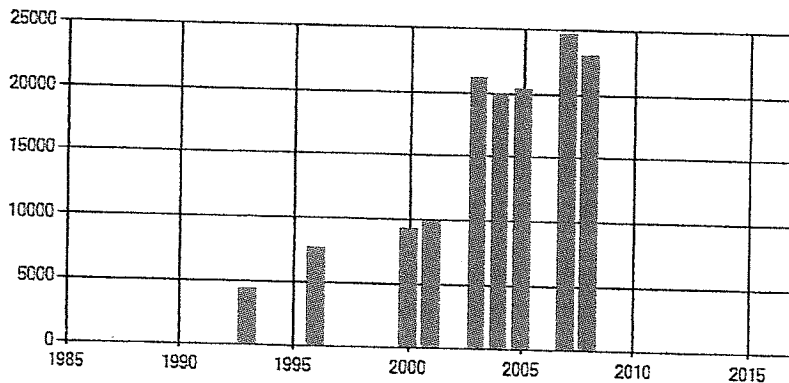
% Single - single unit truck volume as a percentage of the AADT

% Combo - combination truck volume as a percentage of the AADT

K Factor - peak hour volume as a percentage of the AADT

D Factor - percentage of peak hour volume flowing in the peak direction

Year	AADT	Year	AADT	Year	AADT
2016		2006		1996	7600
2015		2005	20400	1995	
2014		2004	20000	1994	
2013		2003	21200	1993	4380
2012		2002		1992	
2011		2001	9880	1991	
2010		2000	9280	1990	
2009		1999		1989	
2008	23100	1998		1988	
2007	24700	1997		1987	



TRIP GENERATION - 2

15 ZONE 1070

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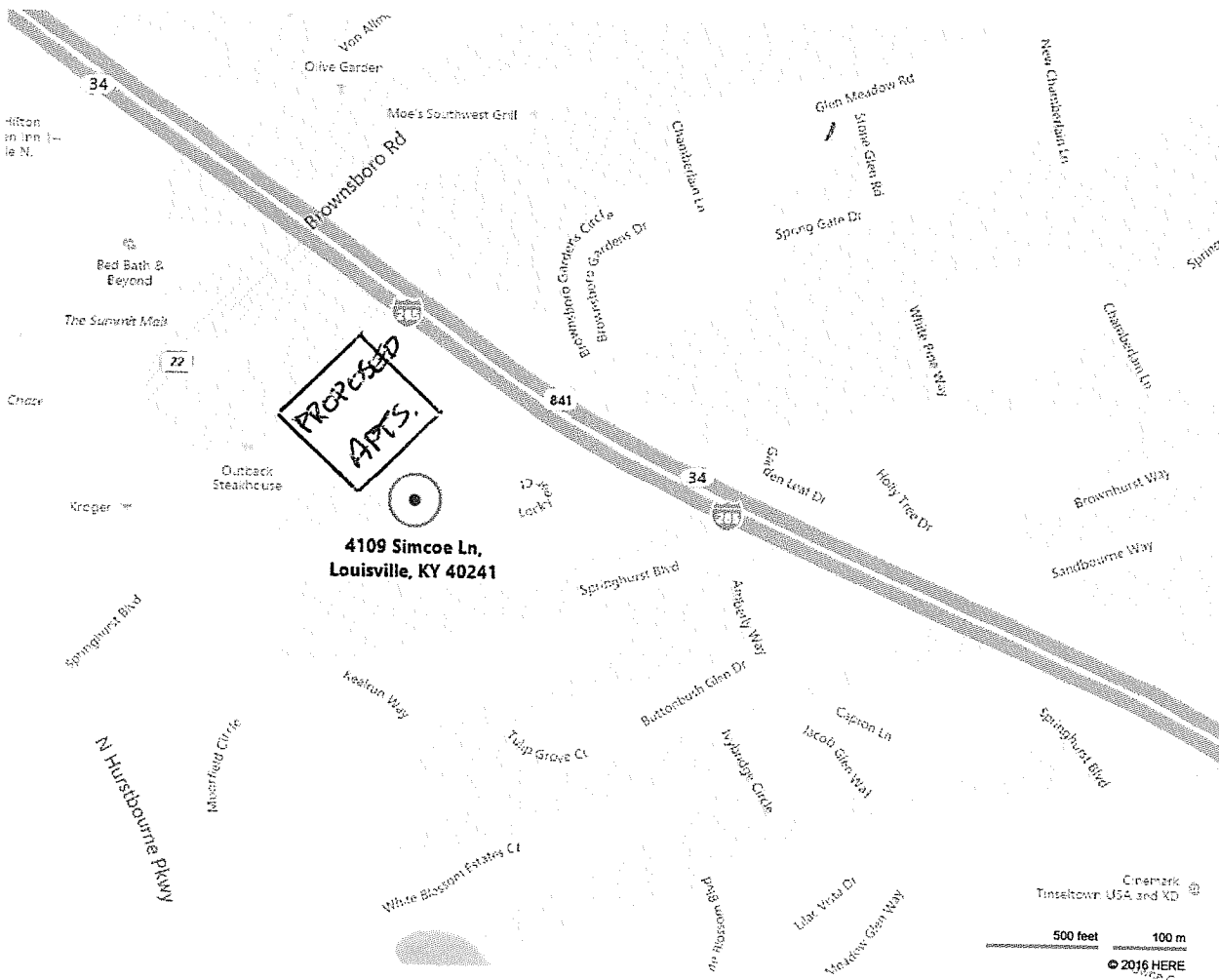
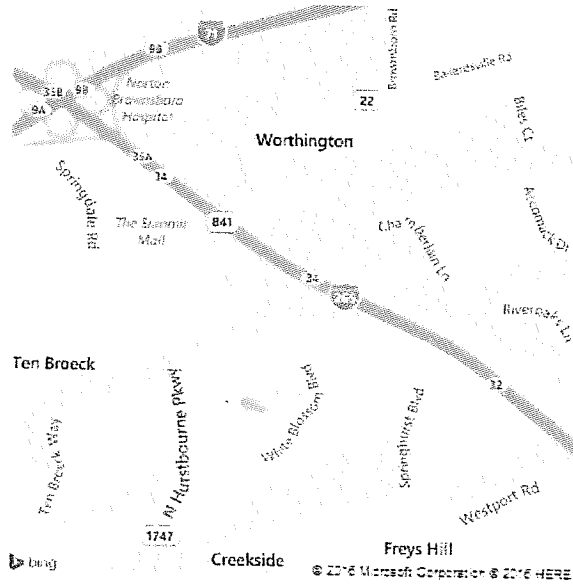
PROPOSED APARTMENT BUILDING IN ORANGE

MAP # 1

15 ZONE 1070

Notes

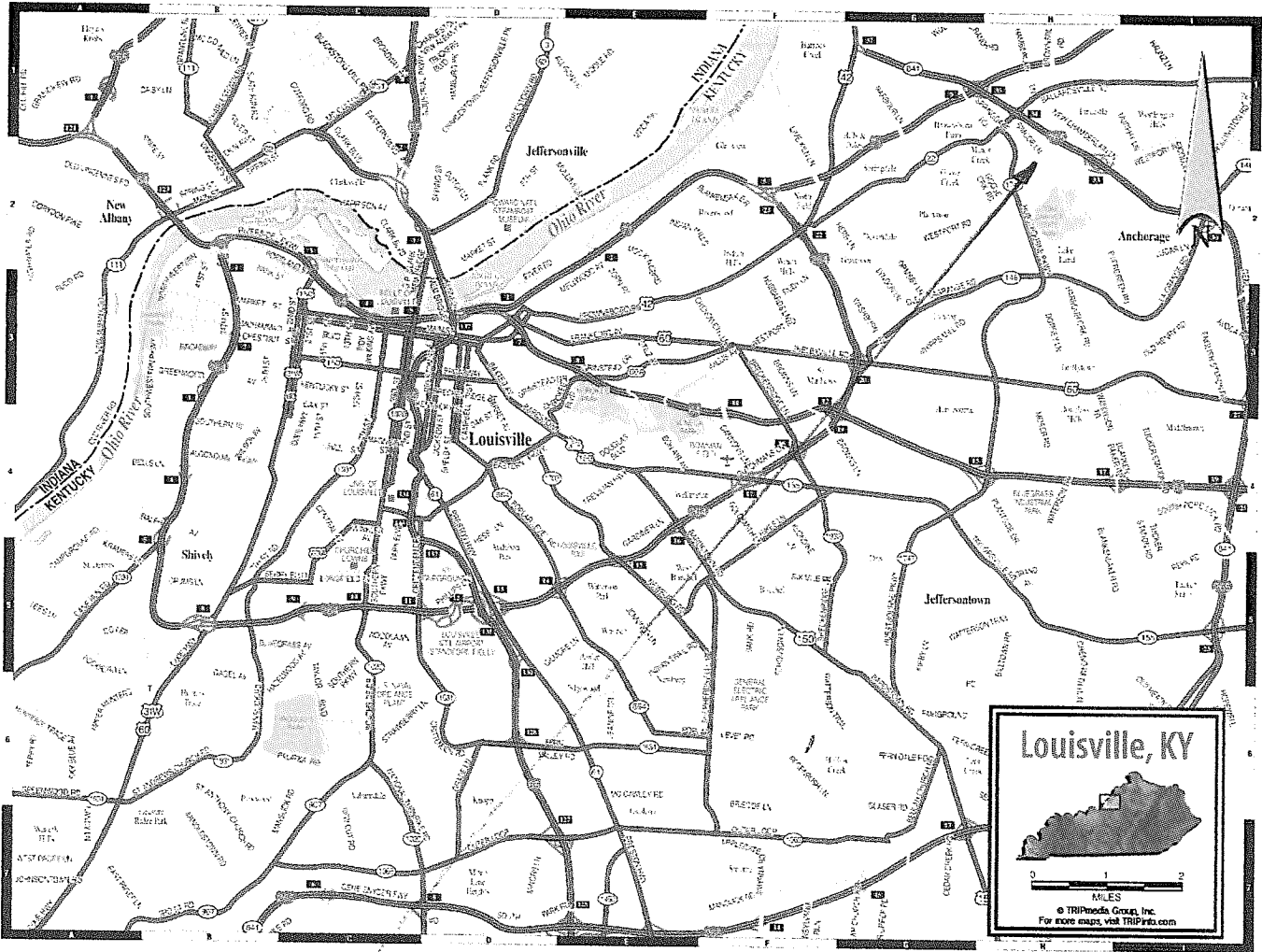
Type your notes here



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 APR 06 2016
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 DESIGN SERVICES

Cinemark
 Tinseltown USA and XD
 500 feet 100 m
 © 2016 HERE

MAP #2
 15 ZONE 1070



NOTE: SIMCOE LN WAS A THRU STREET
PRIOR TO COMMERCIAL DEVELOPMENT

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15 ZONE 1070
MAP # 3



4109 Simcoe Ln.
Louisville, KY 40241

PROPOSED APT. AREA

TRAFFIC STUDY AREA

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APR 06 2015
PLANNING &
DESIGN SERVICES

15 ZONE 1070
MAP #4

Williams, Julia

From: gismo03@gmail.com
Sent: Monday, July 18, 2016 9:44 AM
To: Williams, Julia
Subject: Fwd: Parsons letter

Wanted to pass this along so it could be given to the P&Z board concerning traffic issue and the fact that if this apartment bldg. on Simcole Lane is approved, the traffic will go through Avish Gardens. This would create a problem not only to the owner but all the tenants. People are not going to turn left then go up, turn around and come back to turn in. We all know this and would be a train wreck, that is the only word that comes to mind. Julia, please pass this along. I will be sending this along also.

Thank You,
Alane McDonald

Sent from my iPad

Begin forwarded message:

From: Susie Devoto <sdevex@hotmail.com>
Date: July 17, 2016 at 3:07:58 PM EDT
To: Alane MDonald <gismo03@gmail.com>
Subject: Parsons letter

Sorry about that. This one should be better. I had the wrong settings.



On Your Side®

Parsons Insurance Services, LLC
Nationwide Insurance and Financial Services

June 23, 2016

Alane McDonald
4209 Hartwick Village Pl
Louisville, KY. 40241

To Whom it May Concern :

It is the opinion of my agency that the proposed additional traffic through the parking lot of Avish Gardens Shopping Center would potentially make the property uninsurable.

Most carriers will do inspections of the properties they cover and I would believe the additional traffic would cause this risk to be flagged for unsafe conditions due to a lack of directional signage, and lane markings. I would also imagine that maintenance of the grounds (parking lot) would become an issue for any carrier. That many more vehicles will cause damage (potholes) that will need constant repair to prevent the complex from becoming liable for damages to vehicles.

Please let me know if I can offer any further opinion on this issue.

Thank you,

Chris Parsons
Owner

10300 Brookridge Village Blvd
Ste 103
Louisville, KY 40291

Tel 502-239-5054
Fax 502-239-6968
Tel 855-628-9633
www.Nationwide.com/ParsonsAgency

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Products underwritten by Nationwide Mutual Insurance Company and Affiliated Companies. Life Insurance issued by Nationwide Life Insurance Company
Home Office: Columbus, OH 43215-2220

Williams, Julia

From: Pat and Jim <onne2399@bellsouth.net>
Sent: Wednesday, July 13, 2016 2:50 PM
To: Williams, Julia
Subject: case 15zone1070

Julia, I am still trying to determine whether other residential developments, whether apartments or homes, have been approved in recent years in Louisville Metro where it has been acknowledged that traffic must flow through private parking lots to safely get to the public street/road system. Could you please provide me with contact information for the person in P&Z to whom all case managers report. It seems best to go to one person for the info if at all possible.

Thanks
Jim Onnen

Williams, Julia

From: Alane McDonald <gismo03@gmail.com>
Sent: Thursday, May 26, 2016 1:43 PM
To: Williams, Julia
Subject: Binding elements

Hi Lisa, just letting you know that Hartwick Village, at least our new committee, is in no way for the binding elements, nor do we want such a pink elephant setting on a postage stamp. We certainly hope you will post signs next time so the public can see. We will make sure Kroger and other tenants are notified so they can attend the next meeting. I know City Scapes believe Jack Kelly speaks for majority but a new petition showing that nothing was explained as well as what they know now. Jack Kelly can certainly talk to whomever but there are two committes! Can you tell me how I could get a copy of minutes of Simcole meeting with Planning and Zoning on Tuesday. Especially the testimony of Dan, owner of Avish. I would appreciate this so much.

Thank You,
Alane McDonald

Sent from my iPhone

Williams, Julia

From: Brown, Jeffrey E
Sent: Wednesday, May 25, 2016 9:32 PM
To: Williams, Julia; brendaharral@twc.com
Subject: Fwd: thank you

Thanks for the input. I'm sending to the case manager to make sure it's included in any future public meetings for the site

Sent from my Verizon Wireless 4G LTE smartphone

----- Original message -----

From: Brenda Harral <brendaharral@twc.com>
Date: 05/25/2016 7:58 PM (GMT-05:00)
To: "Brown, Jeffrey E" <Jeffrey.Brown@louisvilleky.gov>
Subject: thank you

Good morning, Jeff.

Thank you again for always being so helpful to us in Springhurst. Thank you also for last night.

My sense of the whole thing is that it would be so very important that all members of the commission actually come out here and see for themselves the property and how it comes together like Mr. Tomias did. Our Springhurst board has been known to make decisions from the board table with some not having viewed the situation personally. Those are not our Board's best decisions. 😊

Besides the traffic signal issues in front of the Paddock, it seems that the path to / from Springhurst Blvd through the Kroger parking lot was generally overlooked.

Mr. Bardenwarper gave some interesting figures as to how far it is to walk to the Paddock and to Tinseltown. If memory serves, he said it is .7 miles to Tinseltown. Maybe that is how the crow could fly it, but since we are not crows, the walk would be 1.2 miles.

Take a look at the actual route one would have to take. Not like a walk in the park.

From where the Simcoe Apartments would be to Tinseltown (theater). Here is how that would go.

Down Simcoe Lane (currently no sidewalk) to the delivery area behind Outback / Kroger.

Go thru the delivery area and around the automatic gate to the left and cross the parking lot for Bailey Park.

Then between the two condo office buildings in Bailey Park; exiting on Springhurst Blvd across from Springhurst clubhouse.

Left on sidewalk on south side of Springhurst Blvd until the sidewalk ends at White Blossom; cross street and continue on sidewalk North side of Springhurst Blvd.

Continue to first Tinseltown entrance; cross street and into theater parking.

Thank you for all that you do!

Brenda

Brenda Harral

brendaharral@twc.com
551-2252

No virus found in this message.

Checked by AVG - www.avg.com

Version: 2016.0.7598 / Virus Database: 4568/12296 - Release Date: 05/25/16

Williams, Julia

From: Jack Kelly <jaxxkelly@yahoo.com>
Sent: Friday, March 04, 2016 2:57 PM
To: Williams, Julia
Subject: Modifications (binding elements) to plans for Case 15Zone1020 Simcoe Ln
Attachments: Simcoe LN Planing Comments_Drainage.pdf; SimcoeLNPlaning Fence & Landscaping Comments 3.pdf

Case 15ZONE1070 Simcoe Ln Rezoning, developer Cityscapes Residential

If the rezoning is approved, attached are documents with comments and requested plan modifications regarding case 15ZONE1020 Simcoe Ln. If the plan is approved we request that these modification be included in the binding elements of the final plan.

--

Jack Kelly, VP Village of Hartwick HOA
Chairman, Springhurst Area Citizens Committee on Simcoe Ln Re-zoning
jaxxkelly@yahoo.com
937-671-6413

Case Number: 15ZONE1070

Regarding: **Drainage (Stormwater)**

Date: 2/22/16

Submitted by: Springhurst Area Community Committee on Simcoe Ln Rezoning
Jack Kelly, Chairman email: jaxxkelly@yahoo.com Ph 937-671-7413
(Comments prepared by Tim Joice, Board member, VOH)

Comments or Remarks:

Village of Hartwick (VOH) residents are concerned with the potential impacts of the project on stormwater drainage. It is understood that the project must comply with Louisville's Land Development Code, which includes complying with MSD's stormwater drainage requirements. The applicant has proposed to comply with the stormwater drainage requirements through construction of an underground stormwater basin, and intends to connect the storm sewer system for the proposed development to the existing stormwater pipe at the western corner of the site. Currently, this pipe is shown on the plan documents as 12" and connects to a catch basin. There is currently no indication on the proposed development documents where that catch basin goes from that location.

Currently, the drainage from Simcoe Lane primarily runs west off the road, on to the green utility right-of-way, and then into the rear lawn area of Village of Hartwick residents, especially those of 4211 through 4201 Hartwick Village Place. Regular heavy rainfall events, which are increasingly common in recent years, causes runoff to rush up against the rear fence-line, move under the fence, and then form large puddles in the rear lawn area of those lots. Further, the residents at 4211 have specifically redesigned their rear yard space to include patio space and a hook-up to the catch basin to facilitate better drainage, only to have that catch basin back up on to their new hardscape area during storm events. All this has been said to illustrate that we have significant concerns about the impact of the proposed development on stormwater drainage.

The developer should use green infrastructure, such as pervious asphalt or pervious pavers, and other techniques, to capture more stormwater from the site. The proposed underground detention basin is only required to be designed to hold the 80th percentile storm, and is also only required to meet pre-development peak flow requirements, rather than also meet pre-development volume requirements. This is insufficient, given the growing size of storm events, and increased flood events across the country. Many cities, including Philadelphia and Washington, D.C., have moved to require the capture and treatment of 90th percentile storm events (or similar), and to also require the use of post-development BMPs that help manage stormwater volumes as well. The developer should use green infrastructure, such as pervious asphalt or pervious pavers, for the 20-foot fire access around the proposed development. These methods are increasingly common and when constructed properly, are fully supportive of the loadings of heavy vehicles. Given the existing issues with stormwater runoff accumulating around the Village of Hartwick properties as noted, and the issues associated with that stormwater sewer infrastructure to which the development intends to connect, it seems pertinent that the developer implement additional measures to capture and reduce stormwater runoff from the site.

The developer may need to upgrade the stormwater sewer infrastructure “downstream” from the site as well to ensure proper drainage. Even if MSD confirms downstream capacity, the evidence of backups from the catch basin onto the patio of 4211 Hartwick Village Place draw into question such a confirmation.

Finally, VOH residents would like to request that the developer install curb and gutter on both sides of Simcoe Lane. Curbing of Simcoe Lane, particularly on the western edge, will help prevent excess stormwater runoff from washing into the rear yards of VOH residents. We also recognize that the curbing of Simcoe will likely direct the stormwater runoff directly to a storm sewer which may subsequently cause problems for the resident at 4211 Hartwick Village Place. We are interested to hear a remedy from the developer to resolve that potential issue as well, which may include upgrading downstream capacity, capturing the runoff from Simcoe Lane in an alternative method, or other ideas.

Case Number: 15ZONE1070

Regarding: **Noise, line of sight, privacy of Hartwick Village homes.**

Date: 2/29/16

Submitted by: Springhurst Area Community Committee on Simcoe Ln Rezoning
Jack Kelly, Chairman email: jaxxkelly@yahoo.com Ph 937-671-7413
Comments provided by Jim Swanson

Comments and Concerns: The development will add approximately 360 cars to a very confined area. It is anticipated that 750-1000 additional daily car trips will be added to Simcoe Ln. The main entrance and exits for the apartment garage are directly behind the Hartwick homes. In addition, a swimming pool and other recreational areas will be added facing Simcoe Ln. The development will be an imposing 5 story structure only 75 -80' from the rear lawns of Hartwick Residents. The rear lawns of Hartwick Village are very narrow. Most homes are less than 25' from the 6' fence. This means there is little buffer area between the new apartment building and the 2 story home structures on Hartwick. The apartment residents will have balconies and windows facing Simcoe Ln that will be directly overlooking the home in Hartwick Village.

We request that the developer address the increased traffic noise, people noise from outdoor activities and most importantly privacy of neighbors on Hartwick with a 3 part plan as stated below:

1. Landscaping:

The area between Hartwick Village Fence and Simcoe Lane needs a landscaping upgrade to make the development project more acceptable to the residents of Hartwick bordering on Simcoe Lane as well as adding beautification of the project overall. The area between the Hartwick Village fence and Simcoe Ln has little landscaping. It consists mostly of a grassy area with no trees or shrubbery until you get closer to the existing tennis center which has a few older trees. (See *Exhibit 1*). We propose the installation of 2 rows of 7'-8' evergreen trees (variety to be selected jointly by Cityscapes Residential and Committee) the entire length of Simcoe Ln opposite the project (approx 411'). Details are in *Exhibit 2*

2. Fence:

The current 6' cedar fence behind the homes on Hartwick will be replaced with an 8' fence for a length of 244'. This is the area opposite the main traffic entry into the garage and the wing facing Simcoe Ln. The entire width of the new development is 411'. In addition at the end of the 244' 8' section an additional 530' of new 6' fence will be installed across the entire boundary of Hartwick Village backing up to Simcoe Ln. A complete new fence is required in order to maintain the same attractive appearance for all homes backing up to Simcoe Ln. Details are in *Exhibit 3*

3. Building Height:

The developer plans shows a 60' (5 floors) building that requires a variance from the LDC Table 5.7.1.B.2 stating that maximum height is 45'(3 floors). This specific variance will be addressed in more detail in a separate document. It is mentioned here as part of the concern for privacy as it will loom over the Hartwick Village homes. If the project does go forward, we propose that the front wing of the building facing Simcoe Ln have a maximum height of 3 floors as stated in the LDC. This will reduce some of the overpowering height facing Hartwick and provide some degree of improved privacy. See *Exhibit 4*

If Zoning and Planning requires that the developer include these three requirements in the Binding Elements the residents of Hartwick will have some degree of privacy, noise control and improved neighborhood ambiance. However we should be clear that even these requirements do not provide the same level of privacy, noise abatement, peacefulness, and car pollution control as currently exist.

Exhibit 1 Right of Way area to be landscaped



Area behind Hartwick Village fence. In this picture the proposed apartments will be directly to the left of Simcoe Ln. The proposed line of evergreen trees will be approximately in line with the shrub in the fore ground extending back toward and beyond the Road Closed sign for approximately 350'.

Exhibit 2 Landscaping plan

With the new development project an evergreen tree barrier will improve the overall appearance of the area and will make the overall area more appealing to all residents, both Hartwick and the new apartment residents. Even more important is the additional privacy and noise control the trees will provide as they mature.

We met with Sherie Long and Erin Thompson from Planning and Design services on 2/19/16 and developed the following plan. The developer will plant a row of 7-8' evergreen trees or similar pines planted 10' off of Simcoe on 10' centers and a second row of 7-8' evergreen trees staggered behind the first on 10' centers (*see exhibit 2a*). These will be planted on the west side of Simcoe Ln (*exhibit 1*) the entire width of of the new development (approx 411') This will require the removal of 13 scrub trees (*see exhibit 2b*). The overhead lines have been considered and this plan will not interfere with them. As the trees mature and grow they will provide a sound barrier from the additional traffic as well as raising the line of sight higher from the balconies and windows of the apartment residents across the street. We confirmed with Peggy Heustis (horticulturist) of Greenscapes that this is a good plan and the trees are compatible with the growing conditions for this area.

Since these trees will be planted in the Right of Way the developer will maintain the trees and replace dead or diseased trees as needed for the life of the apartment complex.

Exhibit 2a Evergreen trees location and spacing

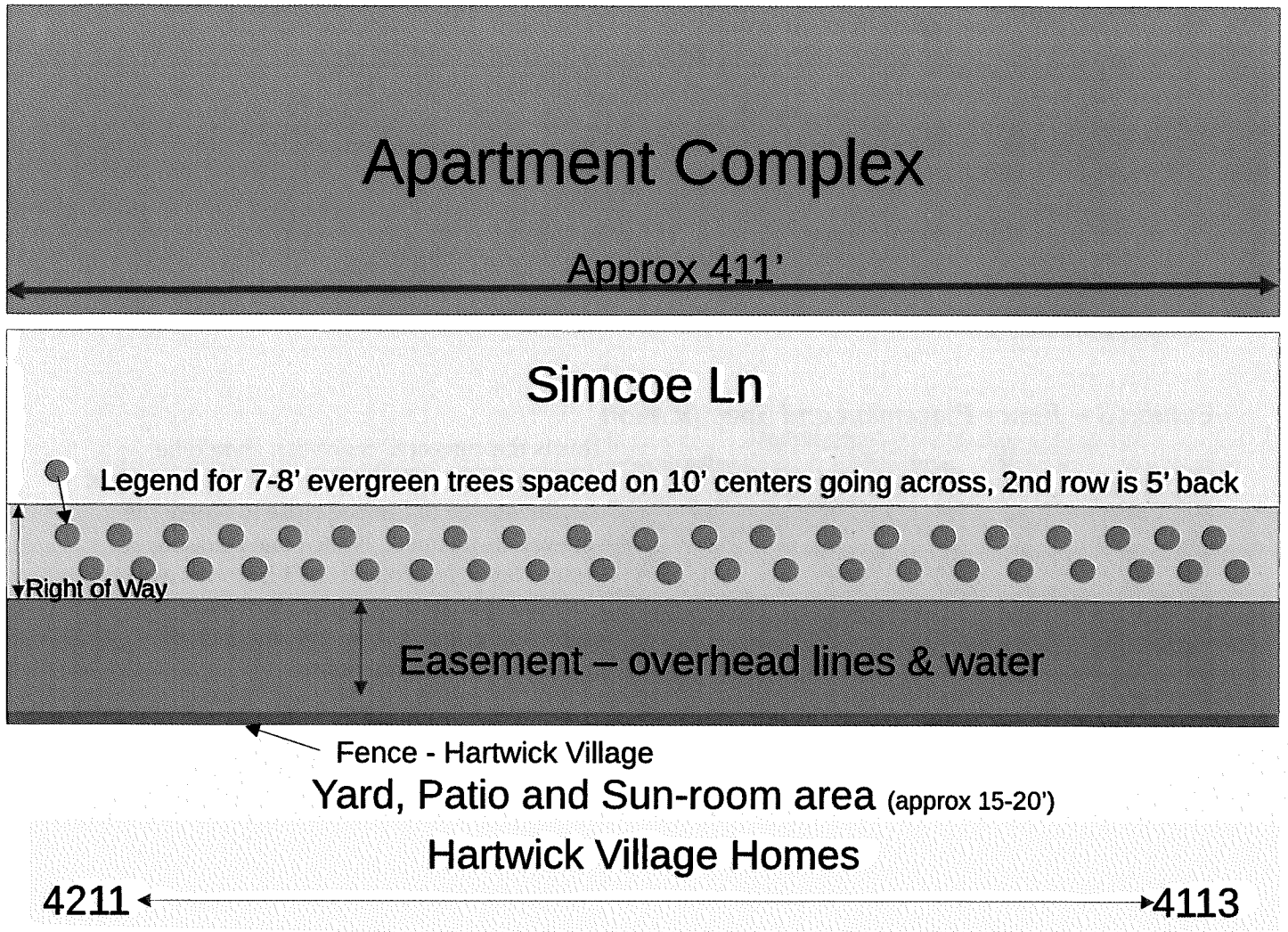


Exhibit 2b Scrub trees to be removed



These trees will have to be removed to allow space for the planting of the evergreen trees. It is likely they will be removed in order to install the curb and gutter system. These trees have been hacked up and trimmed by LG&E over the years and they are no longer viable as barrier or buffer for a new development.

Exhibit 3 – Fence Placement and Specification



This is the current 6' fence that should be increased to 8'. This view is from the proposed apartment side of Simcoe close to where the sidewalk is planned. Notice that standing at ground level, let alone from 3-5 stories above from the apartment complex, how little protection from sight, sound, and lack of privacy that fence provides.

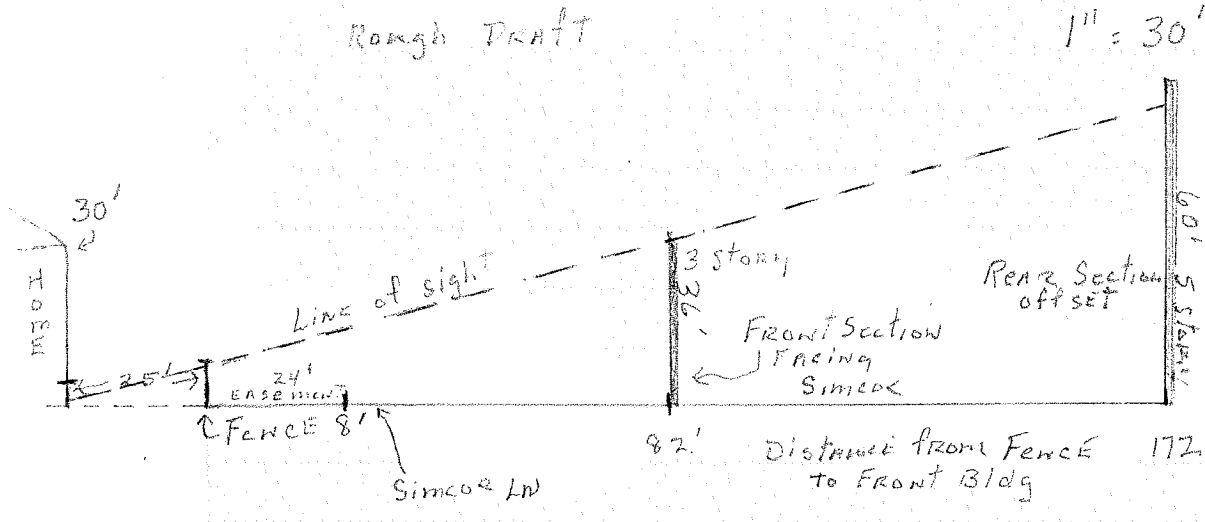
Fence Specifications: The overall fence shall consist of two sections. First a 245', 8' high solid privacy fence on both sides on 6x6 treated posts and 4-2x4 stringers per section. This covers the area shown in Exhibit 3. The second section is a 530', 6' high solid privacy fence on both sides on 4x4 treated posts and 3-2x4 stringers. Also included is removal and disposal of the existing fence.

Exhibit 4 Example of Building height



This is the tennis center behind a portion of Hartwick Village. It is approx 2 ½ to 3 stories high and approx 84' from the back of homes. 84' is close to the same distance as the proposed development plan for the building facing Simcoe Ln. Now imagine that the structure is 264' wide and 3-5 stories high. Now add windows and balconies and you can visualize the lack of privacy for those Hartwick Village resident directly across the way.

Exhibit 1 Line of Sight



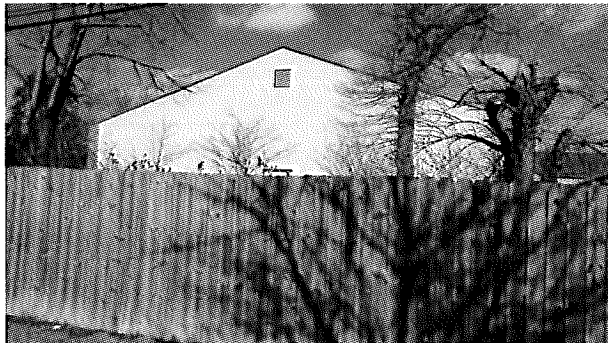
As this rough diagram illustrates those residents above the 2nd floor will have a direct line of sight view into the back yards, patios, sun-rooms and lower windows of the home in Hartwick.

Exhibit 2



This view is from the proposed apartment side of Simcoe close to where the sidewalk is planned. Notice that standing on ground level, let alone from 3 stories above from the apartment complex, how little protection from sight, sound, and lack of privacy that fence provides.

Exhibit 3



This is the tennis center behind a portion of Hartwick Village. It is approx 2 1/2 to 3 stories high and approx 114' from the back of homes on that end of Hartwick Village. 114' is further back than the 82' planned for the apartment building wing facing Simcoe Ln. Now imagine that the structure is 264' wide and 5 stories high. Now add windows and balconies and you can visualize how the building will loom over Hartwick Village homes and residents directly across the street.

Williams, Julia

From: Jack Kelly <jaxxkelly@yahoo.com>
Sent: Friday, March 04, 2016 2:28 PM
To: Williams, Julia
Subject: Opposition to Variance in Case 15ZONE1070
Attachments: Simcoe LN Planing Building Variance.pdf

Case 15ZONE1070 Simcoe Ln Rezoning, developer Cityscapes Residential

Based on the current plan and information available to us, we are in opposition to the rezoning request . Our strongest opposition is to the variance request of the story building height and current traffic congestion. Attached is the document with comments regarding the variant request for a 60' 5 story building.

--

Jack Kelly, VP Village of Hartwick HOA
Chairman, Springhurst Area Citizens Committee on Simcoe Ln Re-zoning
jaxxkelly@yahoo.com
937-671-6413

Case Number: 15ZONE1070

Regarding: **Rejection of Variance submitted for approval of 5 story (60') building**

Date: Feb 23, 2016

Submitted by: Springhurst Area Community Committee on Simcoe Ln Rezoning
Jack Kelly, Chairman email: jaxxkelly@yahoo.com Ph 937-671-7413
Comments prepared by Marsha Jenkins

Comments or Remarks:

1. The Neighborhood. The Village of Hartwick is comprised of large upscale 2 story townhomes, which are attractively landscaped and part of the large (1,114 homes) beautifully landscaped and maintained Springhurst development. The Village of Hartwick is a quiet neighborhood with limited access. The entire area is professionally maintained, beautifully landscaped, well buffered from traffic and commercial areas.

2. Design. The developers of the Simcoe Ln apartments in an article in Business First, Jan 18, 2016, described Cityscape Residential plans for this development as an "unorthodox design." Unorthodox is defined as "contrary to what is usual, traditional or accepted." We agree. The density of the project makes it unorthodox and not acceptable as currently planned. The plan is for 5 floor apartment building and 4 floor integrated parking garage. It is proposed to be a 450,000 square foot structure, 261 apartments and 10,000 square feet of courtyard. Its proposed to be built on ONLY 4.5 acres.

3. Building Height. Cityscapes Residential application for Variance to Exceed Maximum Building Height (from 45 to 60') states that changing the zoning to OFT (Regional Center) is not out of character with the area. They cite the Drury Inn, the Hilton Garden Inn, and Republic Bank as evidence that the five-story Simcoe apartments would not be out of character with the area. However, these examples are not comparable for several reasons.

a. Drury Inn, Hilton Garden Inn, and Republic Bank are all commercial buildings. All three face Hwy 22 (Brownsboro Rd). Republic Bank has adjacent to it a multipurpose neighborhood shopping center. Drury Inn and Hilton Garden Inn are across Hwy 22 and are part of The Paddock, a Town Center outdoor shopping mall.

b. The Drury Inn, Hilton Garden Inn and Republic Bank are not adjacent to any residences. To state that the 5-story Simcoe Ln apartments would not be out of character with the area ignores the Hartwick Village homes which are directly across Simcoe Ln with the front edge of the building 82' from the rear of Hartwick Village properties. The proposed 5-story apartments will literally be looming over the Hartwick Village homes, including their patios and sun-rooms. (See Exhibits 1 & 3)

c. The developer's Variance request states that it "shields view of residents across Simcoe Ln from less aesthetic view of an interstate highway." This is their purely subjective opinion. It assumes several things. First, that Hartwick Village residents could see the interstate highway from their homes. It also assumes that everyone would consider this building design as aesthetically pleasing.

d. A review of upscale apartments in close proximity to Simcoe Lane reveals that none are more than 3 stories. These include the Verbena (Norton Commons), The Crowne (Springdale Rd across from Paddock), and Champion Farms (Springhurst Blvd)

e. Champions Farms apartments which backs up to a different section of Springhurst is 3 stories in compliance with existing LDC requirements and furthermore is on a much larger lot with a very wide thickly landscaped buffer area between the rear of the apartments and the back yards of homes in Springhurst.

4. Character. The Developer states throughout its Variance request that the Simcoe Lane proposed five story apartment building is "not out of character for the area." The question is how is the area defined. The Application for Variance to exceed maximum building height states that there are 55 adjoining property owners. But it fails to identify who they are. No mention at all is made of the Village of Hartwick which is comprised of 27 homes, and whose patios and sun-rooms are directly across Simcoe Ln only 82' from the apartment building. To the residents of Hartwick Village, the character of the area is their residential, quiet neighborhood. To refer only to the Drury Inn, the Hilton Garden Inn and Republic Bank (all commercial properties) ignores the RESIDENCES of Hartwick Village, Abbeywood and Springhurst and the character of our RESIDENTIAL area. *(See Exhibit 2)*

5. Zoning Denial. At the original neighborhood meeting, the developer stated that they would consider a 4-story design, instead of the proposed five stories, but we have not seen any building elevations that shows anything other than 5 stories. Considering the narrowness of Simcoe Ln, density of project, only one exit road, only 4.5 acres, addition of 350 cars (approx 700-1,200 daily trips) **re-zoning should be denied based on the current design.** *(See exhibits 1, 2 &3)*

Williams, Julia

From: Alane McDonald <gismo03@gmail.com>
Sent: Thursday, March 24, 2016 12:14 PM
To: Williams, Julia
Subject: Re: Regarding Simcole Ln.

Thank you for getting back with me. I will be returning to Louisville around the 10th of April and will certainly be keeping up online with what is going on with this project. I contacted the highway department and spoke with Mr. Carrico. He explained, when I brought up about traffic going through Kroger parking lot, that people are like marbles, you throw them out and they go all directions! I didn't quite find this to be very professional and that such an issue with traffic is a lot different when safety is involved. I am taking notes on every person I speak with because My Voice needs to be heard, and the voice of anyone concerned with safety, traffic issues, etc. Mr. Carrico explained they only are concerned about State Highways, Really, what about the traffic that goes into State Highways, is this not a concern. Trying to get a good contact in Frankfort! Will keep you informed.

Thank You,
Alane McDonald

Sent from my iPhone

> On Mar 24, 2016, at 8:54 AM, Williams, Julia <Julia.Williams@louisvilleky.gov> wrote:

>

> Thank you for letting me know your concerns regarding the change in zoning. Your letter will be made part of the record for the case. Your letter will either be summarized or included in its entirety in the staff reports prepared for the case.

>

> Please let me know if you have any further concerns or questions regarding this case.

> Thanks

> Julia

>

> -----Original Message-----

> From: gismo03@gmail.com [<mailto:gismo03@gmail.com>]

> Sent: Wednesday, March 23, 2016 10:57 PM

> To: Williams, Julia

> Subject: Regarding Simcole Ln.

>

> My name is Alane McDonald, my address is 4209 Hartwick Village Place. I sent another gentleman a letter last month but understand you are the contact person. There are many concerns and issues regarding this project. I understand through neighbors, since I am out of town, that the traffic does not seem to be an issue! I can't imagine anyone agreeing that there isn't a traffic issue. I have lived in my home now four years, I have watched with the building progressing traffic also progresses. To send traffic through the Kroger is insane and causes more of a danger. Also to put such a building that takes all of property and leaves little green space for noise, etc. seems to be putting an elephant on a mole hill. I realize this property behind me will someday be an office park, restaurant etc., yet to put a pink elephant in an area to create more of a problem is destroying property value, safety on the roads, and most of all not doing anything about the existing problem. I grew up in construction, I know how this works, and it is exactly what people are fed up with, the government not standing up for the people. My property value will be destroyed and I will have no privacy at all. If you want to see what I mean please come to my home. I am certainly not blaming you, but asking you to look at the whole picture.

> Thank You,

> Alane McDonald

>
> Sent from my iPad

Williams, Julia

From: gismo03@gmail.com
Sent: Tuesday, February 16, 2016 2:05 PM
To: Brown, Christopher
Subject: 4113 Simcole Ln.case # 15 zone 1070

Attention, please listen to my concerns about this project! First of all I will tell you that my property value will go down the tubes. The traffic is so bad now, and to think if I ever had to get to one of the hospitals. I have sat in traffic and watched an ambulance try to get through. I thought how sad that was. All the development in this area has created a problem, but to think that you would add to the problem is unacceptable. Would you not agree to fix a problem, not create more of a problem. In Hartwick Village we also have a water problem when it rains. It seems that the sewer is on overload. I can tell you that to put a building of this size will be a disaster to our neighborhood! I have small grandchildren and we play outside all summer and anytime we can. These people want to destroy that pleasure. They will look right in my yard and Windows! No one would buy the place for any value. We all have worked hard, please hear my concerns and don't allow such a tall building. An office park, yes. Not a four or five story building. Please contact me since I am out of town.

Alane McDonald
4209 Hartwick Village Place
502-287-3309

Sent from my iPad

