

Dock, Joel

From: Robert Marrett <rhmarrett@gmail.com>
Sent: Monday, February 3, 2020 11:49 AM
To: Tony Miller
Cc: Allan Morris; Dock, Joel
Subject: Trees at Highland Preserve

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Good morning Tony. I saw your message re trees along Newburg Road. As Allan and I informed you when we met in your home, we will preserve as many trees as possible in the Highland Preserve neighborhood. While we will do exactly that, there are certain guidelines concerning preservation as relates to the Metro Planning procedures that prevent us from unequivocally stating that in an application because at this stage we do not know which trees are dying or are dead, etc. This message is simply to state we will do all we can to preserve and enhance the trees along Newburg Road. These trees are as important to us as they are to you.

Also I was surprised to see you propose fewer homes on our site after we thoroughly discussed this with you. You and I know in the total scope of existing traffic on Newburg Road, there will be little or no difference in the ultimate traffic count on this street as a result of the development of Highland Preserve.

Bob Marrett

rhmarrett@gmail.com
502-541-3509

Dock, Joel

From: Dock, Joel
Sent: Monday, February 3, 2020 9:05 AM
To: Paul Miller
Subject: RE: Highlands Preserve Development

These comments will be incorporated as well.

All developments meeting thresholds for tree canopy compliance are required to meet the minimum standards of the regulation. The subdivision plan demonstrates minimum compliance (25% tree canopy). Often times, developers indicate that no tree canopy is to be preserved on development plans but they will often preserve trees once they get to tree canopy/landscape plan phase. The condition of the trees factors in to preservation as well. Good comments. Thank You!

Joel P. Dock, AICP
Planner II
Planning & Design Services
Department of Develop Louisville
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Louisville, KY 40202
502-574-5860
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**DEVELOP
LOUISVILLE**
LOUISVILLE FORWARD



From: Paul Miller [<mailto:tmiller0647@gmail.com>]
Sent: Sunday, February 2, 2020 8:55 PM
To: Dock, Joel
Subject: Highlands Preserve Development

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Joel,
I was not aware the Highlands Preserve Development Project was planning to take down many of the trees on Newburg Road. If this is true - We would be oppose to removing all the trees

on Newburg Road - this would destroy the integrity of our neighborhood. If at all possible - we would appreciate the Metro Planning and Design Services Committee consider saving as many trees as possible - near the front of Newburg Road in the Highlands Preserve Development. Your Committee consideration of this request - would be deeply appreciated.

Sincerely,

Tony Miller
2813 Newburg Road

Dock, Joel

From: Paul Miller <tmiller0647@gmail.com>
Sent: Sunday, February 2, 2020 5:11 PM
To: Dock, Joel
Subject: Louisville Metro Planning Design Services Committee

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Dear Mr Dock,

My name is Tony Miller and I am the former Jefferson County Circuit Court Clerk. I own the home at 2813 Newburg Road which is directly across from the new Highlands Preserve Project - which is Case # 19-MSUB-0016.

I understand this project calls for 16 elegant high end homes being built in the Highlands Preserve Development. My Wife and I are very concern about the Safety of the Property Owners and Pedestrians on Newburg Road.

In the past Two years we have had over 20 traffic accidents in this 3 block stretch on Newburg Road. Many of the Drivers go over 15 to 25 miles over the Speed Limit. On December 27, 2019 we had a driver go at High Rate of Speed crash and totaled his car into our Historical Retaining Wall - which was damage very badly. Since December 27th - Our Mail Box has been knock down Three separate times in the past Five weeks.

We are afraid with this new development there could be more accidents coming out of the Highlands Preserve entrance. We are not completely opposed to the development, but would hope the City and State would warrant Flashing or Warning Lights near the entrance of the Highlands Preserve - and the Committee would consider Downsizing the development to 8 or 10 New Homes for the Safety of our Property Owners and Pedestrians in our neighborhood.

Sincerely,
Tony Miller

Dock, Joel

From: Dock, Joel
Sent: Friday, January 24, 2020 8:38 AM
To: siobhan@sheangelo.com
Subject: 19-msub-0016 highlands preserve

Please see response in red below.

Good afternoon Julia,

We had a meeting for Upper Highlands Neighborhood Association (UHNA) last evening and one of the topics of discussion was the proposed subdivision, Highland Preserve, on Newburg Rd. Case number is 19-MSUB-0016. I have attached the proposed plan as of 1/13/2020.

I wanted to make you aware of some of my concerns and ask a few questions.

I am looking at the plans for proposed the subdivision. Attached is a snapshot of the 20ft "landscape buffer", and gate that will be on Newburg road. This is also referred to as a wall. The "wall" will be modified to allow for the private gated entrance that will sit on Newburg. Included in this info is a screenshot of tree canopy detail.

Questions:

* What is considered a landscape buffer, also referred to as a wall. 20ft is two stories, correct? A landscape buffer is a dimensional requirement across the ground moving from a property line inwards towards the development. It buffers the development with plantings and/or screening form lower intensity uses or roadways. The wall that is being shown on the plan is existing and will be modified to allow for access. We need further clarification as to what this will look like. Bushes, brick, wood? Is there a color rendering available showing what is being proposed? Detail on the design of the gate has not been provided. I'll request from the applicant.

* Gated entrance is on Newburg road and looks to sit 15' off of Newburg Rd (if I am reading this correctly). Kelli Jones from SWL Developer had stated she wasn't sure where it was or how far back it sits. Can this gate be moved to Schuff Lane and help alleviate the additional traffic on Newburg Rd? The gate is shown roughly 60' from the new right of way line or roughly 120' from the pavement of Newburg Road.

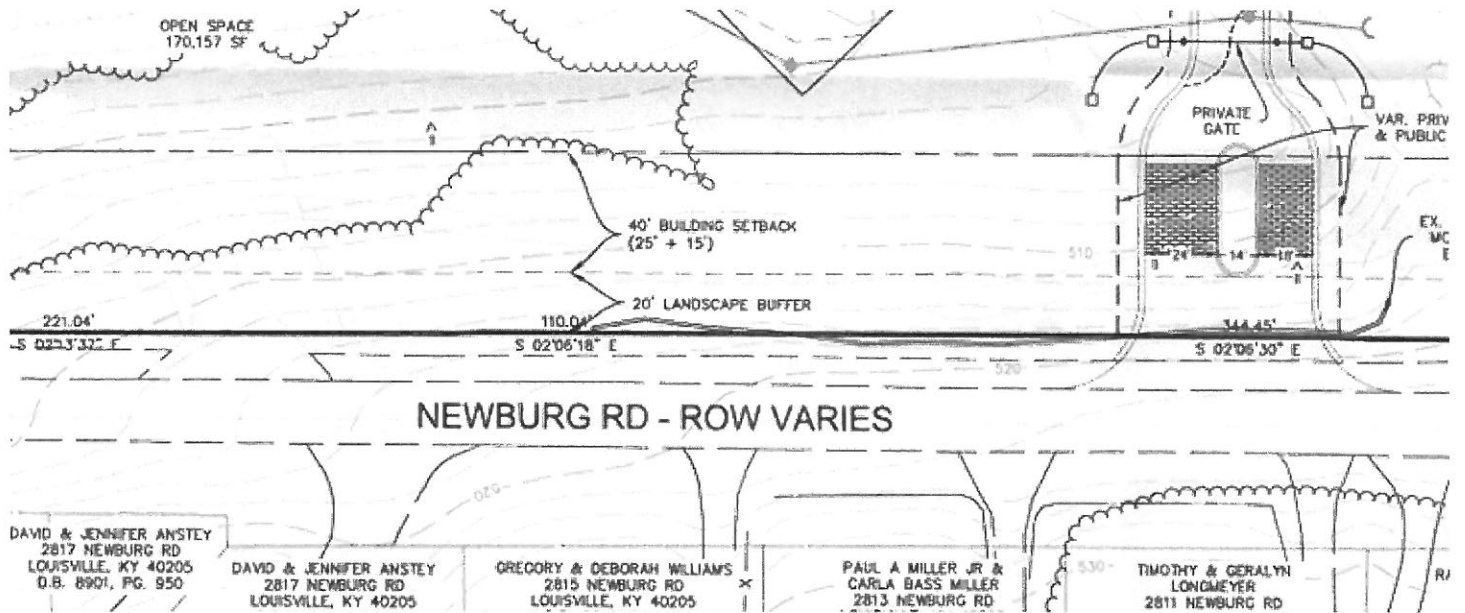
Current tree canopy is 41-75%. Existing tree canopy to remain - "0". Additional tree canopy required - 25%.

*I have a concern regarding the loss of tree canopy and I feel my concern is valid. What is now a shaded area will be made into another heat island and will completely change the look of Newburg road. What can be done to preserve the look and feel of Newburg Rd and it's current and much needed retention of shade? This concern will be forwarded to the applicant. Minimum tree canopy compliance will be reviewed again and the physical location of tree planting will be determined during landscape plan review. All that is required of a developer is minimum

compliance with applicable regulations. The plan provides compliance. Loss of shade trees is a huge consideration and concern for our city. It would be awful to lose this jewel.

19 postcards went out to the residents in the neighborhood to review the plan. Far more than 19 homes are impacted by this proposed subdivision and residents that live along or adjacent to Newburg Road should be allowed a voice in it's proposal and execution. Please let me know if an additional meeting can be held to include neighboring homes in the area? Subdivisions require notice to adjoining property owners and neighborhood groups in the area. This is sent via USPS. This same notice is also sent via email to all registered users within the council district signed up to received notice of development proposals.

Thank you for your time and I look forward to hearing from you.



MAX. BUILDING HEIGHT: 35'

TREE CANOPY CALCULATIONS

TOTAL SITE AREA:	351,312 SF
EXISTING TREE CANOPY:	41-75%
EXISTING TREE CANOPY TO REMAIN*:	0 SF (0%)
ADDITIONAL TREE CANOPY REQUIRED:	87,828 SF (25%)

Joel P. Dock, AICP
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 LOUISVILLE FORWARD
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Dock, Joel

From: Dock, Joel
Sent: Friday, January 24, 2020 8:41 AM
To: Kelli Jones (kelli.jones@swlinc.com)
Subject: FW: 19-msub-0016 highlands preserve

A few items may need your attention. I've highlighted them below. My response to the citizen is in red.

From: Dock, Joel
Sent: Friday, January 24, 2020 8:38 AM
To: siobhan@sheangelo.com
Subject: 19-msub-0016 highlands preserve

Please see response in red below.

Good afternoon Julia,

We had a meeting for Upper Highlands Neighborhood Association (UHNA) last evening and one of the topics of discussion was the proposed subdivision, Highland Preserve, on Newburg Rd. Case number is 19-MSUB-0016. I have attached the proposed plan as of 1/13/2020.

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Questions:

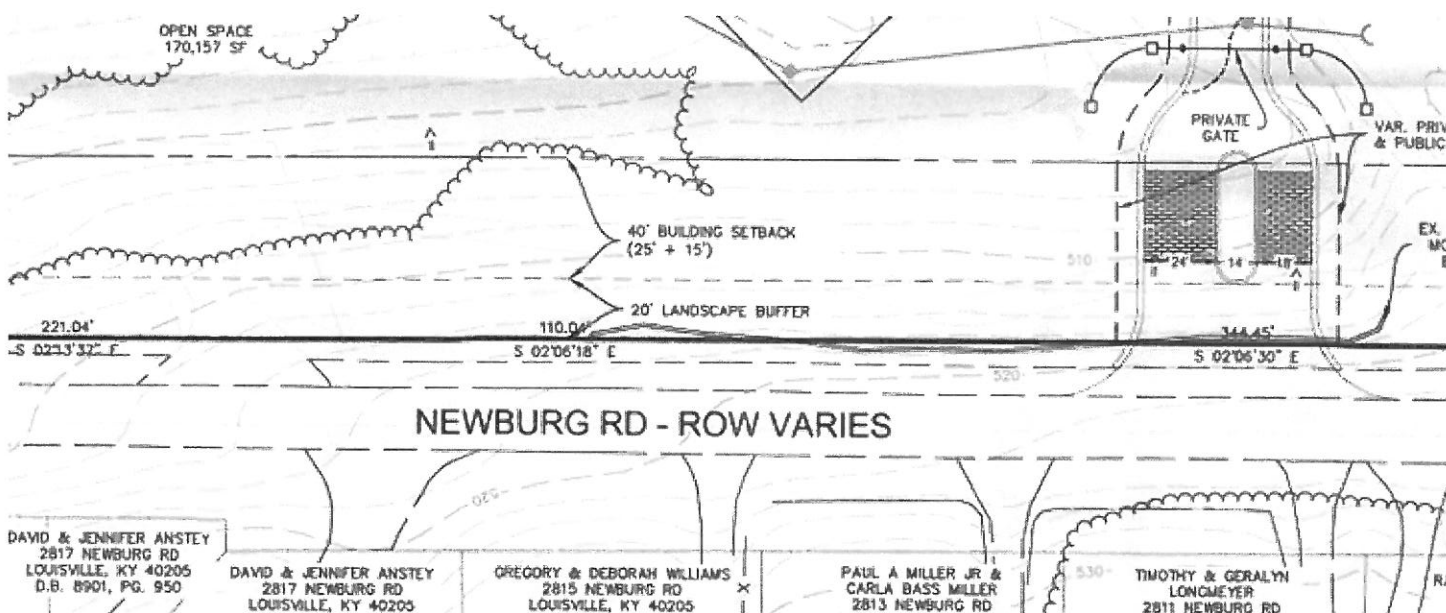
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Current tree canopy is 41-75%. Existing tree canopy to remain - "0". Additional tree canopy required - 25%.

*I have a concern regarding the loss of tree canopy and I feel my concern is valid. What is now a shaded area will be made into another heat island and will completely change the look of Newburg road. What can be done to preserve the look and feel of Newburg Rd and it's current and much needed retention of shade? This concern will be forwarded to the applicant. Minimum tree canopy compliance will be reviewed again and the physical location of tree planting will be determined during landscape plan review. All that is required of a developer is minimum compliance with applicable regulations. The plan provides compliance. Loss of shade trees is a huge consideration and concern for our city. It would be awful to lose this jewel.

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Thank you for your time and I look forward to hearing from you.



MAX. BUILDING HEIGHT: 35'

TREE CANOPY CALCULATIONS

TOTAL SITE AREA:	351,312 SF
EXISTING TREE CANOPY:	41 - 75%
EXISTING TREE CANOPY TO REMAIN*:	0 SF (0%)
ADDITIONAL TREE CANOPY REQUIRED:	87,828 SF (25%)

Joel P. Dock, AICP
 Planner II
 Planning & Design Services

All,

KYTC appreciates the concerns listed in the communication below. As noted, Newburg Road (KY 1703) is a Urban 2 lane roadway that is owned by KYTC and maintained under Agreement by Louisville Metro. In regards to this route, we have reviewed all current files on the route and have gathered the following:

- The route has been reviewed and all signage, including Horizontal Alignment (curves) has been verified as compliant.
- All side roads attaching to the route were reviewed for sight distance and any with limited visibility were signed accordingly.
- As part of the KYTC Safety Performance Program, this route was reviewed and the segment between Trevilian and Bellarmine Blvd ranked in the Top 20 of Urban 2 lane routes for possible safety improvement needs, while the segment from Trevilian to I-264 ranked below 200 statewide. That said, if a project were to be undertaken, it would be the Northern Segment, not the Southern, however these projects are not in the Road Plan.
- There are no current State-Sponsored Transportation Studies Planned along this corridor, however there once was a proposed project being discussed to possibly install a sidewalk along a portion of the route. however the outcome of that is unknown at this time.
- In regards to the proposed development, the size and scope would fall under a standard commercial entrance permit with KYTC. Due to the size it would not warrant and impact study or improvements to the route. Based on this, KYTC would not anticipate any changes to the roadway due to the limited size of the project.
- A review of the reported accidents from 1/1/19 to 1/8/20 shows 20 reported accidents. Of these 9 were single vehicle, run off road. Many of these were due to "Driving faster than conditions allowed". There were 7 rear ends, mostly at Dundee and Dunbarton Wynde and 2 angle collisions at Schuff. Only the 2 angles would be considered "correctable", which is one of the warrants for a signal (Min 5 correctable in 12 months).
- The intersection at Dundee, although busy for a couple short periods of the day, does not have ample traffic to meet the warrants for a traffic signal. Best Case, the road would have to produce around 150 cars an hour for 8 hours of a 12 hour period of the day to warrant. During the majority of the day, the numbers are far below that threshold.

It is the hope of KYTC that this information helps in your discussions. We will not be in attendance at the public meeting, however if you should have any questions, please feel free to Contact us.



SABAK, WILSON & LINGO, INC.
ENGINEERS, LANDSCAPE ARCHITECTS & PLANNERS
THE HENRY CLAY • 608 S. THIRD STREET
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December 9, 2019

Mr. Joel Dock
Louisville Metro Planning and Design Services
444 South 5th Street, Third Floor
Louisville, KY 40202

**Re: Highland Preserve
Case No. 19-MSUB-0016**

Dear Mr. Dock:


On behalf of our client, Highland Preserve, LLC, I would like to respond to the concerns of Upper Highlands Neighborhood Association (UHNA) as outlined in their letter submitted to the Planning Commission.

Regarding the increased traffic we understand that Newburg Road is a very busy road and made it a point early on in the planning process to contact the Kentucky Transportation Cabinet along with Metro Works. We were advised that a project the size of the proposed Highland Preserve (16 total lots, a 12 lot increase for the property) would not meet minimum thresholds required for a Traffic Impact Study.

With regard to the flooding referenced in the UHNA letter, as part of the development of the project detention will be provided in accordance with Metropolitan Sewer District requirements to insure that the proposed project will not adversely impact downstream neighbors. It should also be noted that the properties referenced in the letter are upstream of the proposed Highlands Preserve development and the flooding source is the South Fork Beargrass Creek which has a watershed of over 9,000 acres at Newburg Road, again upstream of the proposed 8 acre Highland Preserve site.

In closing, Our company has worked with this Developer for over 40 years on various projects and the UHNA referring to him as lackadaisical and condescending in their letter is absurd.

Best Regards,



Joseph S. Marshall, P.E.

Cc: Pat Mulvihill, Metro Council District 10
Brandon Coan, Metro Council District 8
Lori Rafferty, P.E., CFM, Metropolitan Sewer District
Tom Hall, Kentucky Transportation Cabinet, District 5
Upper Highlands Neighborhood Association
Allan Morris, Highland Preserve, LLC
Bob Marrett

Williams, Julia

From: Honi <honigoldman@gmail.com>
Sent: Monday, January 6, 2020 9:30 AM
To: Williams, Julia; Davis, Brian
Subject: FW: Jan. 15 Meeting re dangerous Newburg Road

Importance: High

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From: Honi <honigoldman@gmail.com>
Sent: Monday, January 6, 2020 9:27 AM
To: jim.gray@ky.gov; 'Burns, Vanessa' <Vanessa.Burns@louisvilleky.gov>; 'Lori Rafferty' <lori.rafferty@louisvillemsd.org>; joel.dock@louisvilleky.gov; kelli.jones@swlinc.com; jasonr.richardson@ky.gov; Bridget Hallahan <Bridget.Hallahan@louisvilleky.gov>; MaryLou and Bill Marzian <Marylou.marzian@lrc.ky.gov>; Morgan and Chris McGarvey <Morgan.McGarvey@LRC.KY.GOV>; Alejandro Cabrera <Alejandro.Cabrera@louisvilleky.gov>; Brandon Coan <brandon.coan@louisvilleky.gov>; Jasmine Weatherby <Jasmine.Weatherby@louisvilleky.gov>; Pat Mulvihill <Patrick.Mulvihill@louisvilleky.gov>; Geoff Wohl <geoff.wohl@louisvilleky.gov>; Darnell.Farris@Louisvilleky.gov
Cc: Siobhan and Pat Sheehan <siobhan@sheangelo.com>; Amy Straub <amymstraub@gmail.com>; tmiller0647@gmail.com
Subject: Jan. 15 Meeting re dangerous Newburg Road
Importance: High

Because of the current and proposed dangerous conditions on Newburg Road in Louisville KY, Upper Highlands Neighborhood Assn. (UHNA) is asking for your attendance at our meeting on Wed., Jan 15, 2020 at 6:30 PM.

1. Recent accidents at 2813 Newburg Road (Dec. 27, 2019) and at Newburg and Tartan Way (Nov. 28, 2018) caused severe damage to two sections of the historic stonewall
2. Increased automobile accidents in this area which have damaged other structures
3. Proposed development of "Highland Preserve" with increased traffic on Newburg Road and worsening flooding to Sutherland Drive and Dunbarton Wynde

UHNA is hopeful that these solutions can be implemented immediately:

1. Proper repairs to the damaged stone wall
2. Adding permanent caution lights at Dunbarton Wynde and Sylvan Way
3. Adding traffic light at Dundee Road and Newburg Road

UHNA is hopeful that these long-term remedies can be seriously considered:

1. Widening Newburg Road (a state road) from Schuff Lane to Trevilian Road
2. Adding an exit street onto Schuff Lane on the proposed Highland Preserve development



UPPER HIGHLANDS NEIGHBORHOOD ASSOCIATION

PO Box 5782 Louisville KY 40255

uhna05@outlook.com

www.UpperHighlandsLouisville.org

Established in 1999, serving all of the Upper Highlands

Joel Dock
Louisville Metro Planning and Design Services
444 South Fifth Street, Third Floor
Louisville, KY 40202
(502) 574.6230

Re: case #19-MSUB-0016

Joel:

The Upper Highlands Neighborhood Association (UHNA) has grave concerns about this planned development that the developers seemed to have taken a lackadaisical, even condescending, attitude to the potential problems.

1. Increased traffic on Newburg Road. Currently is one of the most congested two-lane state roads in Louisville, coming off Watterson and is major route for school buses.
2. Increased flooding. This proposed development is surrounded by a flood plain. (<https://watermaps.ky.gov/RiskPortal/>) UHNA has approximately 40 homes in this flood area, nine houses already bought by FEMA and torn down by MSD. Such a development will only add to the flooding in this area.

While the developers have quasi promised no such problems, UHNA has heard these "assurances" before, as evident by the 40 homes that were built in that flood plain.

As for the traffic congestion, anyone in this area can attest to that, especially the people who live on Newburg Road.

While UHNA understand the desire to build on this land, we also know that once these homes are built, any "assurances" become meaningless and are without recourse.

Thank you,

Honi Marleen Goldman
President

Siobhan Sheehan
Vice-President

Cc:

Brandon Coan
Metro Council District 8

Pat Mulvihill
Metro Council District 10

Lori Rafferty, PE, CFM
MS4/Floodplain Program Manager

Tom Hall
Planning, Division 5, KY Transportation

From: [KEN STAMMERMAN](#)
To: [Dock, Joel](#)
Subject: "Highlands Preserve" proposal
Date: Thursday, February 6, 2020 11:04:52 PM

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Dear Mr Dock,

Please include my opinion as being against the proposed development, for a number of reasons.

--The concept of a 'gated' community is entirely foreign to the ambiance of the Highlands. All our areas in the Upper Highlands are open to the larger community. No closing off parts of the community as reserves for those who do not want to be our neighbors. I can, and do, walk or bike through much of the Upper Highlands without having to answer to some guard at a gate.

--Tearing down trees along Newburg Road at a time when we are trying to preserve our arbor coverage is dumb. Call on the city arborist for an opinion.

--There would be obvious drainage issues to be dealt with because of the proximity to Beargrass Creek.

--Traffic is already very bad along that stretch of Newburg Road. The road cannot be widened - it is a state road - and an additional exit from some gated community would add to the chaos.

Those are just a few of the issues. What in the world are those people thinking?

Thank you for your consideration,

Kenneth Stammerman
2823 Hoock Avenue
Louisville, KY 40205