

March 27 2006

Mr. Greg McKay
U.S. Army Corps of Engineers
Operations Division, Regulatory Branch
ATTN: CELRL-OP-FS
600 Dr. Martin Luther King Place, Rm. 752
Louisville, KY 40202

Subject: Viewshed Analysis, River Park Place, 199200465 (Jefferson Co.)

Dear Mr. McKay:

Thank you for the information and opportunity to comment. In response to the Viewshed Analysis Overview, we offer the following

Item

1. The "peninsula" is, in reality, Towhead Island, and it is slowly washing away
2. From the perspective submitted, The Harbor is always partially "obscured"... at least for now. We would like to see some renderings that include The Harbor.
3. Inadequate information on which to comment.
4. Item 1 stresses "separation" and here we have "urban context". The development is nearly 2 miles from the urban skyline center and single frame line of sight inclusion is impossible. There is no "urban context".
5. Yes, it's hard to miss. .
6. Even from this most distant and naturally screened perspective possible, the structures are still massive and aesthetically incompatible with their surroundings.
7. Inadequate information on which to comment.
8. To say that these very large structures "will not impede existing sun and shadow patterns of the existing natural physical features" is absurd.
9. The view of sunsets from a substantial portion of River Road will be totally obstructed. The currently beautiful summer moonrise as seen from the Harbor and from the north and northwest in general will also be obstructed.
10. The removal of the commercial barge mooring at Towhead would only improve the view from the very limited perspectives submitted. We would suggest the developer has not adequately investigated the viewshed from other perspectives and especially from the high-rise structures themselves. At the line of sight elevations proposed, vast industrial areas occupied by the Nugent River Terminal and River Metals facility to the east, Jeffboat to the north, the concrete production facilities to the southwest, and the junkyards and Municipal Impound Lot to the south also "detracts from the quality of the River Park (**Riverpark**) Place development". Attractive high-rise views are limited to the west and northwest and only available from a very small percentage of the proposed residences. Does the developer suggest that moving the very small commercial mooring portion of the surrounding industrial component will significantly improve the aesthetic appeal?
11. Inadequate information on which to comment.
12. The "land uses immediately west" are public use and green space with the notable exception of the large, isolated "restaurant/nightclub" that has no relationship whatsoever to its surroundings. It should be noted this structure was originally proposed as a "seasonal café" as permitted in the 1994 DA.
13. This analysis requires multiple comment:
 - a. Based on Item 2, the possibility exists that support structures as seen from waterside will present an unsightly appearance as seen by passing and moored vessels.

- b. There are no renderings of the appearance of the development or immediate Harbor area as seen from the water; specifically from the navigation channel to the north and northeast used by commercial and excursion vessels, the Harbor approaches and Towhead Channel used by recreational vessels, and vessels moored in the Harbor.
- c. We would question any service areas (structures, parking, utilities, or accesses) that are not set back at least 150' from the waters edge and landscape screened from the waterside to avoid an "industrial" appearance. The screening will partially preserve the pastoral feel of area and could be incorporated into the absolutely necessary controlled access security area for The Harbor. The setback is necessary to minimize impact from floodway flow and velocity within the immediate harbor area and to enhance security.
- d. The citing and screening of utilities and mechanical systems should avoid introducing noise pollution on the waterside.
- e. Lighting as seen from the waterside should be carefully considered for safety reasons. It takes 20 minutes for a helmsman to regain his night vision after being subjected to bright light. even for a moment. Considering the very heavy 24 hr commercial traffic in close proximity to the area, any lighting affecting navigation must be extremely low impact. Exposed high power area lighting is highly undesirable. High angle, laterally shaded and specifically targeted lighting must be employed as light pollution from upland public and private areas, including residences and commercial interests, will blind pilots, helmsmen, and lookouts during night transit, departure, approach, and docking. Night renderings are prominently absent.
- f. Since the original 1936 permit called for buoys marking the Harbor island, we would like to see this requirement updated with proper navigation day markers and beacons at the Harbor entrances and Towhead Island/Channel
- g. Although the statement that The Harbor "is slated to be restored" is a welcomed and positive sign. The 1994 DA and MOA also required stabilization and restoration of Paget House. That was 12 years ago and the current neglected and further deteriorated condition of Paget House does not encourage optimism. We would require much more detail before we could constructively comment.
- h. It is not a marina, it is a harbor. It is not an inlet, it is a basin.

Besides the previously mentioned need for additional perspectives, we would like to see wide angle, aerial daylight rendering of the development from the southern edge of the viewshed with the McAlpine upper gauge at 42 ft.

We believe the developer's unilaterally simplistic methodology to address complex regulatory and public interest/safety issues is at best inadequate. The delay in regulatory determination this inappropriate approach continues to cause demonstrates the obvious need for expanded public input to establish a practicable consensus.

Thank you for your continued consideration.

Sincerely

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