



Orchard Park MPUD: PASP & Rezoning Staff Report

To: City of Walker Planning Commissioners

From: Frank Wash - Planning Director

Date: September 11, 2006

Updated Information

Trademark Property Company has applied for a Mixed Use Planned Unit Development, (MPUD) located north of I-96, south of 4 Mile Road, east of Walker Avenue and west of Bristol Avenue. The properties involved in this application include the following: PPNs 41-13-04-227-005, 03-100-002, 007, 012, 022, 023, 024, 025, 03-200-001, 002, 003, 007, 023, and 03-430-001.

The full legal description was used in the public noticing process. The full legal description should be used in the eventual motion to approve or deny the rezoning, as it more accurately defines the involved land area.

The net property in this application is approximately 239 acres. Please check the attached REGIS map for an aerial orientation to the site plus master planning and zoning information.

The planning commission held and closed the public hearing on the preliminary area site plan and rezoning on March 29, 2006. Over 100 people were in attendance. Eleven people offered public comment, with some in support of and some against the project.

The developer's design team and the planning commission then conducted a site plan work session on May 17, 2006. The planning commission provided the developer with a list of revisions to the preliminary area site plan that would better address the direction provided in the 2006 Sub-Area #1 Master Plan Update.

City of Walker staff and the developer's design team next conducted a two-day site plan review committee workshop at City Hall on August 31 and September 1, 2006. The Orchard Park application was divided into specific topics and examined with applicable subject matter experts from the Kent County Road Commission, City of Grand Rapids Water and Sewer Departments and local trail / open space / walk-ability activists. A significant list of amendments and alterations were recommended to the Orchard Park developers. These are summarized in my staff report dated September 1, 2006, which is attached.

The purpose of the September 20, 2006 planning commission agenda will be to conduct the following:

1. A presentation of draft community impact reports that cover projected costs and revenues for the following departments and agencies:
 - a. Fire Department
 - b. Police Department
 - c. Court
 - d. Building Department
 - e. Income Tax Department
 - f. Assessing Department
 - g. Clerk Department
 - h. DPW
 - i. Kenowa Hills Public Schools
 - j. The Rapid / ITP – public transit
 - k. Parks and Recreation Department.
2. An independent review of the revised site plans by Val Lazdins, the City of Walker's planning consultant.
3. An independent review by Pete LaMourie of Progressive AE, the City of Walker's traffic consultant, of the traffic impact study submitted by the developer.
4. Presentation of staff reports from the planning and engineering departments.
5. Presentation by and discussion with the Orchard Park applicants. The applicant has supplied an updated and comprehensive site plan packet for you to review. I realize this is a large amount of paperwork but I encourage you to become familiar with the details of this complex proposal.

Planned Unit Development Administration

Planned Unit Developments are essentially a "four step" process, as explained in Article VIII of the Walker Zoning Ordinance. Once a proposal has completed the required "pre-application conference," the plan is eligible for Preliminary Area Site Plan (PASP) review by the planning commission. With this project, PASP also includes a review of the proposed rezoning to MPUD.

A public hearing was held and closed on March 29, 2006. A Citizen Advisory Committee (CAC) has been created by and for the city commission. The CAC will meet at 6 PM at City Hall prior to the 9-20-06 planning commission meeting to interact with the developer and raise neighborhood concerns. Feel free to attend, as the meeting will be posted.

As planning commissioners, your role is to review the Orchard Park preliminary area site plan submittal and rezoning request against the standards found in the City of Walker Zoning Ordinance and Master Plan. You should use these tools to decide whether the PASP is ready for approval, denial or tabling. You should also be prepared to make a recommendation to the city commission regarding approval or denial of the proposed rezoning.

If a decision is made to move forward, the next step will be a decision from the city commission regarding the rezoning. If the rezoning is approved, a Final Area Site Plan review by the planning commission will proceed.

Planned Unit Developments are an exercise in detail. These projects seek relief from the requirements of the zoning ordinance. In exchange, the project should offer a comprehensive site development process. Traffic flow and access management should be accommodated. Landscaping should be professionally designed. Natural features and open spaces should be preserved. The buildings, signs and exterior lighting fixtures should be compatible. Pedestrian access should be built into the plan. Look for these details on the plans.

The Mixed Use Planned Unit Development District

Section 94-186 of the Walker Zoning Ordinance regulates MPUD developments. The intent and permitted uses within a MPUD involve residential uses being woven into a creative plan with retail, office and other commercial/service uses.

Existing Site Information

I have attached zoning and master plan maps to assist your review. The properties involved are almost all currently zoned "AA," which is the Agricultural district, with the exception of an area of ORP – Office Research & Parking and ML – Light Industrial near 4 Mile and Walker Avenue.

The site was master planned in 1998 for a mixture of community commercial (CC) near I-96 and Walker Avenue and medium-density residential (MDR) uses on the rest of the site. CC is defined in the 1998 Master Plan as representing "the most intensive areas of commercial services, offering a wide range of goods and services of varying size and markets." MDR is explained as well-designed neighborhoods with a density up to 8 units per acre. Public transit access, safe streets, open spaces, adjacent shopping, educational and medical facilities should be included near MDR uses, as noted in the 1998 Master Plan text.

The 2006 Sub-Area #1 Master Plan Update identifies this area as a "Village Center." This update is now before the city commission as the last step in a public-comment intensive and detailed approval process. While not yet official, I recommend comparing the current Orchard Park site plan to the Sub-Area #1 Master Plan Update. There is a finer level of detail in the 2006 master planning work than in the 1998 Master Plan.

The project site is currently a mixture of old orchard and farm field. Several residential lots are part of the project. An area of steep slopes and regulated wetlands bisects the site. Soils vary but are consistent with those found at the terminus of the Fruit Ridge...loamy clays and heavy soils with potential sub-surface sand lenses.

The entire area is in transition. Examine the 2003 aerial photo and you will see what I mean. This is a suburban edge zone...the most difficult to plan and the most controversial from a political standpoint. The historical pattern of rural land use is transitioning to a more urbanized form. This makes sense, given the location of the area relative to the City of Grand Rapids and the regional highway system. But land use change on the edge of town is always a challenge.

Public water and sewer lines serve the project site and adjacent area. There is easy access to I-96, even more so following the Walker Avenue/I-96 bridge widening and associated ramp improvements. The North Ridge industrial park continues to thrive. East of Bristol Avenue, a large higher-density residential project has been approved. The area between Walker and Baumhoff Avenues is zoned and planned for commercial uses in Alpine Township.

Community Impact Analysis

States with impact fees often require a formal community impact analysis from the developer. The analysis projects future community service needs and the impact the proposed project will have on those services. The developer then bears the burden of his/her proportionate share.

Michigan does not have impact fee enabling legislation and probably will not in the foreseeable future. An anemic economy does not facilitate the impact fee process from a political or practical standpoint.

However, with a project as large and complex as Orchard Park, staff decided to assemble an ad hoc community impact analysis using subject matter experts from within the City of Walker and affected partnering agencies.

The community impact list was identified to include the following topics:

- ◆ Traffic and Streets
- ◆ Sanitary sewer lines and pumps
- ◆ Public water lines, pumps and tanks
- ◆ Drainage and stormwater
- ◆ Environmental and public health (Brownfield)
- ◆ Kenowa Hills School District
- ◆ Walker Court, Police, Fire, and D.P.W.
- ◆ Kent District Library
- ◆ City revenues from income, personal property and real property taxes plus various permit fees
- ◆ City job creation

The traffic impact study is the most complex topic. We are addressing that item through an independent consultant – Pete LaMourie from Progressive AE. Pete is working with our City Engineer to study and provide feedback to the planning commission on the developer's projected traffic impacts and associated street system improvements.

The City Engineer will comment on the public sewer, water and drainage impacts and associated improvements.

The City Engineer and DPW will comment on future street maintenance impacts.

The environmental contamination issue is being handled at the Brownfield Redevelopment Authority level. A clean-up plan is being created and will eventually be in front of the city commission for review. A tax increment financing benefit is part of the clean-up plan. The previous farming uses have apparently created a contamination issue with lead arsenic residue and petroleum-based waste.

I have attached the comments from the Kenowa Hills School District and The Rapid.

I have also attached an analysis of parks and recreation impacts and needs from the City of Walker Parks and Recreation Master Plan.

The remaining items will be commented on by City of Walker Department Heads. Their letters are attached in draft form. Those not attached will be distributed to the PC on 9-20-06 and summarized by me.

Do not expect a pure “bottom line” number in this community impact process. This is not a financial statement or audit process. Rather, you should review the sum of community impacts, the developer’s commitments to offsetting those impacts and the relative positive or negative benefit to the City of Walker as a whole.

Ask yourself if this project will be a general benefit or detriment to the City of Walker as you review the standards found in Section 94-213 (3) (e-i) of your zoning ordinance. This is the FINDING OF FACT process...the most important part of your job as a planning commissioner.

Staff Analysis of Preliminary Area Site Plan and Recommendations:

The following comments reference parts of the updated site plan packet.

Trademark / Tom Carter Cover Memo and Zoning Ordinance Checklist

- ◆ Cover Memo from Tom Carter dated 9-12-06:

This memo provides direction on responses to my site plan review committee workshop report dated 9-1-06.

- ◆ The responses to specific sections of the Walker Zoning Ordinance regarding the content of preliminary area site plans (PASP) and findings of fact to be used in the PASP decision-making process are noted here.

This is the heart of the process from a planning commission perspective. The applicant has presented the information required by ordinance for review of a PASP.

On pages 5 – 10, the applicant answers the PASP findings of fact statements from their perspective. You should check to see if you agree with their statements. From a staff perspective, a written development agreement between the City of Walker and the applicants must be executed regarding the construction and associated costs of all proposed infrastructure improvements. This agreement will form the foundation of any future Final Area Site Plan review and should be so noted in any motion to approve a PASP.

Condition of PASP Approval

In addition, I strongly recommend that any decision on the PASP be tabled until the planning commission has directed the planning director and city attorney to create a formal resolution, complete with finding of fact statements from the zoning ordinance. **Condition of PASP Approval**

Pages 9 and 10 contain our recently-adopted standards for prohibiting certain uses within a PUD. I recommend that the following uses be prohibited within the Orchard Park MPUD:

1. New or used car, truck, RV, boat, trailer, mobile home, farm equipment or other vehicle sales.
2. Contractor yards.

Conditions of PASP Approval

Community Impact Analysis Narrative

This is the developer's part of the community impact analysis process that is otherwise being undertaken by City of Walker department heads and other local agencies.

Sanitary Sewer: Note the present location of sanitary sewer pipes. Note the phasing of construction. Note the methodology for computing Residential Equivalency Units (REUs). This relates directly to current and projected sewer system capabilities and functions. This is a City Engineer review item.

Watermain: Note that watermain is present in Walker and Bristol Avenues rights-of-way. Note that two pressure districts are proposed. Note again the phased construction. Note the methodology for water usage. This is a City Engineer review item.

Brownfield Clean-Up: A proposal to classify this site as a Brownfield "facility" is not yet approved but is under review by the City of Walker Brownfield Redevelopment Authority. A tax increment financing district is part of the Brownfield proposal. Preliminary reports suggest that past farming practices have contaminated the site with lead arsenic and petroleum waste.

Mass Earth Work / Soil Erosion Control: The site's existing topography is proposed to be significantly altered. This is to be expected. Soil erosion control and wetland protection will be essential during any construction and will be permitted by the City of Walker Engineering Department. Encapsulation of contaminated soil is part of the proposed mass grading plan. This is a City Engineer review item.

Storm Sewer / Stormwater Management: Note there are currently four different sub-watersheds on the site. All four eventually drain into Indian Mill Creek. This is probably the most complex engineering issue on the site, in my non-engineering opinion. We have a City stormwater ordinance in place to permit any drainage changes on this site. This is a City Engineer review item. However, stormwater pond aesthetics should be part of any future Final Area Site Plan review. **Condition of PASP Approval**

Roads and Traffic Safety: Note that the site is proposed to contain main public streets and minor private streets. Northridge and Baumhoff Avenues are proposed for extension as public streets. The rest would be private. The roundabouts are certain to create controversy, as they are an unknown quantity in west Michigan. Proper engineering and design of the roundabouts is essential and should be part of any future Final Area Site Plan review. **Condition of PASP Approval** In my opinion, the careful use of roundabouts can "brand" this part of the City of Walker while also reducing high-speed car crashes at intersection points.

The intersection design of all streets will be very important. Intersections must be designed to include traffic calming measures that increase pedestrian access and safety. We must not create a roadway system that only contemplates vehicular access to this site. **Condition of PASP Approval**

Regulated Wetlands / Floodplain: There is a significant ravine and associated wetlands on the site. Preservation of the ravine is proposed. A \$20,000 escrow account will be established to cover oil erosion problems during any construction process. **Condition of PASP Approval**

Orchard Park Development Public Infrastructure Improvement Cost Summary

This document serves to summarize the public infrastructure improvements the developer must construct and/or pay for in order to create the Orchard Park project.

The total infrastructure improvement costs are estimated at \$24 million dollars, of which the roadway network improvements are estimated at \$16.7 million dollars.

The report is broken into “areas” to clarify specific items.

Walker Avenue and the I-96 ramps are projected for significant improvements. The 4 Mile and Walker Avenue intersection is also proposed for improvements. Relocation of the entire intersection will probably be necessary. The need for a new intersection has been present for quite some time. The 4 Mile Road Study Committee will discuss this issue on 9-25-06.

Northridge is proposed as a boulevard with roundabout intersections. Northridge could eventually serve as an alternative route to 4 Mile Road. However, 4 Mile Road will most likely remain a main artery in the regional road network.

Areas 6 and 7 are off-site but very important. We are currently working with affected landowners at the Bristol and 4 Mile Road intersection, which definitely needs, and for some time has needed, reconstruction. Alpine Avenue and 4 Mile Road is one of the busiest intersections in the region and needs special attention. These two areas will also be reviewed by the 4 Mile Road Study Committee on 9-25-06.

Bristol Avenue is limited by the I-96 bridge and should not be considered a major traffic mover. A 3-lane cross-section is the maximum. Keeping a patent Bristol Avenue connection is essential from public safety and traffic circulation standpoints.

Orchard Park Preliminary Area Site Plan and Rezoning Booklet

This booklet is a condensed version of the pattern book and regulating plan that formed the original Orchard Park MPUD proposal.

This submittal provides an exceptional level of detail. The applicant has essentially imposed higher standards than those found in the Walker Zoning Ordinance on his project.

I encourage you to read this document cover-to-cover. Your eventual findings of fact should be heavily reliant upon the items noted in the booklet...whether the motion is to approve or deny.

Note the different “districts” within the plan. Note that the residential component will serve a niche market in the Grand Rapids region. Note that District B is the core of the plan. Note that District E matches with the Sub-Area #1 Master Plan Update. In my opinion, the entire PASP aligns with the Sub-Area #1 Master Plan Update.

Please turn to Page 10. The existing site features are noted. Please note that this is not a “pristine” site. Very little natural vegetation exists. Please also note the dominant power-line crossing. This would ordinarily be considered a negative, but is proposed to serve as an internal trail loop and water feature. Also note the ravine and wetlands. This area is, and should be, planned for preservation.

Please turn to Pages 13 and 14. This is the regional traffic circulation plan. All future projects in Walker, this project included, should create intelligent connections to existing streets. An appropriate hierarchy of streets should also be established. Dead-ends and cul-de-sacs should be minimized, as these features create access problems for public services and also overload arterial and collector streets at peak hours.

In my opinion, the Orchard Park traffic circulation plan addresses the aforementioned concepts. Increased traffic in the area should be expected, regardless of whether this project is approved or not. The general location to I-96 simply lends itself to increasing traffic access.

This project, however, while itself a major traffic generator, fits well into the overall regional circulation plan. Street system improvements to be completed as part of Orchard Park will provide the momentum necessary to complete the Northridge extension, improve 4 Mile Road, and reconstruct the Walker and Bristol Avenue intersections with 4 Mile Road.

Please turn to Pages 16 and 17. Here are several cross-sections. Note the pedestrian access and traffic calming details. Note the "Typical Town Center – District B" cross section. The "Typical Town Center Diagram" shows how we should be designing our intersections.

Please turn to Page 18. The proposed pedestrian network provides a looped trail system to the future 4 Mile Road trail. Sidewalks are provided throughout the site, which establishes a well-designed streetscape. Local trail activists were pleased with this plan.

Page 19 deals with traffic management. I will leave the details to Pete LaMourie and the City Engineer. You should note that the applicant was required to design all parts of the system at a Level of Service C or better. The bar has been raised high.

Page 20 clarifies the site by district. Please become familiar with these labels.

Pages 21 – 26 are the meat of the zoning and design standards for this project. The applicant has provided ordinance-style restrictions per district. If you want to know "how can we be sure what will eventually be built," then make certain that these pages are clearly identified as conditions of any approval. **Condition of PASP Approval**

These self-imposed restrictions surpass the standards of the Walker Zoning Ordinance.

Page 27 shows the preliminary area site plan. The colors match the districts. Purple is senior housing. Yellow is residential. Blue is office. Orange is retail / commercial. The pink buildings are the town center and the tourist oriented retail anchor, which may eventually be Cabela's.

Page 28 lays out the general open space plan. Suffice it to say, if final area site plans are presented, we will take a much more in-depth review of open spaces. We will use the parks and recreation master plan and community impact analysis during this process. **Condition of PASP Approval**

Pages 29-31 address major engineering issues that I will leave to the City Engineer. This entire site is in a public sewer and water district. The design of the stormwater management system should be much more than rectilinear holding ponds. A progressive and environmentally-sensitive system of aesthetically-pleasing stormwater areas should be required. **Condition of PASP Approval**

Page 32 is very important. It shows the proposed phasing plan. My inclination is to require District A to be part of Phase 1. This should be an item of discussion for the planning commission.

Pages 33 and 34 project revenues to the City and other taxing agencies. Our City Assessor and Income Tax Director have provided their professional assessments of these numbers.

The total project value at build-out is estimated \$278 million dollars. Take a look at the table on the bottom of Page 33 for the projected tax revenue breakdown. Refer to the City Assessor, Kenowa Hills School District and The Rapid community impact analyses for clarification.

Page 34 identifies job creation by general type and the associated City of Walker income tax generated by the project. Please review the City Income Tax Director's community impact analysis for clarification.

Final Thoughts:

As previously stated, I strongly recommend that, before taking any action on the PASP or rezoning, the planning commission table this item and direct staff to create a resolution with specific findings of fact. This recommendation applies to either an approval or denial.

I also strongly recommend that any resolution to approve the PASP clearly state that, unless specifically noted otherwise, all of the public infrastructure improvements shown on the plans will be designed, constructed and paid for by the developers of the Orchard Park project.

I also strongly recommend that all documents submitted by the applicants for the 9-20-06 planning commission meeting be specifically called out as conditional items of approval as part of the PASP application.

Thank you for the opportunity to review and comment on this important project.

A handwritten signature in black ink on a light-colored background. The signature is cursive and appears to read 'Frank Wash'.

Frank Wash, AICP, PCP
City of Walker Planning Director

CC: Orchard Park Development Team
Walker City Commissioners, Department Heads and Managers
Dick Butler / City Attorney