This has always been in the Plan

... So, what did you think would happen?

You may think this is an odd choice for a title, however, bear with me as I explain and share some pros & cons with this Development and the logic set being applied (or not) during this approval process. I fully understand the drivers and desire for the City to develop this in-fill property (per the goals articulated in both Comprehensive Plan and the Growth Management Plan) and the rights of a property owner to develop their land in accordance with the prevailing ordinances & regulations of the City, County and State. I am not here to challenge that there be no development of this land, but rather I am here to point out questionable design elements and inconsistencies in the plans being put forth and the possible allowances being considered by the City.

Let me also offer two sentences from the City's own documents that should also guide our thinking and discussion:

- "Furthermore, new subdivisions should be integrated, and be compatible, with the fabric of existing neighborhoods." and
- 2) "Maintain and enhance property values and positive perceptions of housing in Valparaiso."

ROADWAYS & TRAFFIC

Let us begin with the "800-pound gorilla in the room" and the subject of **TRAFFIC**. First, we must really divide this conversation into **two parts**: 1) the road systems previously planned for & now being implemented and 2) the traffic impact that will certainly result, <u>not only</u> for all the contiguous developments & properties, <u>but even</u> within the new Brooks Development. If you have been listening during the previous presentations by the applicant/developer and the City Staff members, we all know that Vale Park Road, at least on paper & in various renditions of the Valparaiso Master Plan, has been around since the early 50's.

What this really means is that someone or several folks nearly 70 years ago sat around a table looking at a big plat (or maybe even an aerial photo) of the City, which was much smaller then, and the surrounding areas and said: we have Lincolnway running E-W through our city, Route 30 running E-W to the south of downtown and we should plan for an E-W corridor on the north of town. Out came a straight edge & a pencil and Vale Park Road was born & incorporated into the Master Plan. Of course, I am being a bit facetious, but at that point in time ... 1951, there was very little of the City that existed west of Campbell Street (see Exhibit # 2, City Growth map) and the proposed Vale Park was well outside the then City limits. In fact, to be totally correct, none of the areas we are speaking of were even part of the City of Valparaiso at that juncture and were only beginning to be annexed in 1966. To further set the picture, none of the developments involved in these current discussions existed, nor did St. Paul's Catholic Church, nor the High School or even one of the oldest developments Oakwood Estates, which did not have their first house built until the mid-50's. Back then I am sure they were considered "out in the country."

So, we can say that the concept of an E-W traffic artery on the northside was conceived of 70 years ago and remained in the successive iterations of the City Plan. We can also say, without fear of challenge, that the areas all around this proposed development have changed dramatically in the past 70 years. Finally, we can state that being an in-fill project, or the last "puzzle piece" of a complex mosaic of developments, is always more difficult to manage and deal with.

Now let me point out that if we are going to tell the fine folks of Valpo & <u>all the adjacent developments</u> that Vale Park has always been in the plans, therefore they should not have been surprised that in time this final connecting piece was going to happen, that is fine. However, if you use this logic or reasoning, then you should also be equally forthcoming and note that on all of those same City plans for many decades, the extension of Old Oak Drive to the north has <u>also</u> been shown to extend north to meet Vale Park, <u>but then</u> extend further north to meet at the intersection of 50W (at the corner of Candlewood Estates). To illustrate that the connection of Old Oak Drive all the

way north & south has been in the plans, <u>every</u> one of the 18 maps (see attached Figures 2, 5, 7, 11, 14 & 20) of the City's Growth Management Plan site shows this complete connection!

This connecting street/road to the NE corner of the Brooks development has been asked for each time there has been a discussion of this proposed PUD. Further, some of the land for a right-of-way for this road has now been included in the proposed plan. Additionally, this "road" is referenced as the so-called "construction entrance" for the initial phase of the development.

So, now I ask you, "this has always been in the Plan, so what did you think would happen?" Answer: there would be a road from the corner of Ransom Road & 50W travelling south into the development connecting to Vale Park Road and to tie into Old Oak Drive to the south. This road is important for other reasons than just because it has been in the Plan, it is because it is a logical traffic arrangement to have for a development of this size (to its own unique entrance) and for residents' safety (i.e., suitable accessibility by emergency vehicles – fire, police & medical, access by USPO mail deliveries plus the ever-increasing FedEx/UPS/Amazon Prime traffic, etc.). With 284 dwelling units in the total development (& probably double that number of cars and drivers), that means the organic traffic alone is going to be huge just within the Brooks. By only having the major E-W Vale Park Road as the main paths in or out of the development (and then only by passing through the adjacent established developments), this is not good traffic planning. This poor ingress/egress design is a problem for the future residents of the Brooks even before we begin examining other traffic issues the development will generate elsewhere.

Now that we have established that there really should be roads both E-W as well as N-S creating ingress & egress on all four sides of this in-fill development (based on the long-standing plans of the City), I want to turn to the second portion of the issue of increased traffic. As I said I will not try to use increased traffic on Vale Park to argue against approving the Development, but I will challenge the premise that there is no need to do a traffic assessment. During the presentation to the Plan Commission the representative of the developer made a statement that "there were no requirements for a traffic study to be conducted because the development was not creating any new streets, just simply connecting streets already in existence." That comment seemed quite odd to me at the time, saying in so many words, if there were no new streets, the City policy would be to conduct no traffic studies. In fact, that statement was made in response as to why there was no continuation of Old Oak with a connection to 50W in the NE corner of the development. The conclusion one would reach is that if Old Oak was extended and connected to 50W, that would indeed trigger a traffic study (??). Maybe that was a slip of the tongue, but if the avoidance of connecting Old Oak to the north (like has always been planned for decades in the City Plans) is only to avoid a traffic study, that is simply bad planning!

Maybe everyone is getting tangled up in terminology. I agree that a **formal traffic study** with counting strips on the roads is not very telling until all the roads are in place and much of the development has been built out. Obviously, by that time the "cow is out of the barn." What I would suggest is that a commonsense **traffic assessment** be conducted. By this I mean that we **use all of the existing traffic data** we already have on all of the surrounding roads (these data are on-line and maybe elsewhere — **see Figure 11**), **coupled with** the obvious statistics for what the **Brooks Development will organically add** to the traffic loads, **plus** the continued build out of the developments to the West **and then project what the shear increases in traffic volumes are likely to be. Then there is a component of pass-through traffic** (that do not continue down Rte. 130 into Valpo) &/or the **cross-town traffic** (back-and-forth between Rte. 130 & 49) that will come into play. We do have traffic stats that show the traffic loads on Vale Park in other sections across the northside. From these data we will certainly **conclude that there will be significant increased traffic flows** on the existing portions of Vale Park (in both directions, east & west of the Brooks) **and** on Old Oak Drive to the south. With these data and the **application of some prudent forethought**, we could make sure that we anticipate most of the likely traffic problems, maintenance issues (on existing streets) and where traffic control (signs & lights) & easing techniques should be employed within and beyond the Brooks development. Now is the time to review & anticipate the issues that will certainly arise and then to address & mitigate them before they become major problems. Not later!

Another **few points about the Old Oak Drive situation that should be noted**, <u>as this roadway has been somewhat ignored</u> with the larger and more emotional Vale Park situation being discussed:

- Old Oak is a <u>much older (65 years old) and narrower</u> roadway and was not built to anywhere near the same standards as Vale Park Road.
- The **lower section**, as you approach Harrison Blvd., is **even** <u>less robust</u> than the portions of Old Oak in the Manchester Meadows section (30 years old).
- At the lowest point of the lower section, a tributary of Beauty Creek passes under the road and it has had problems of the <u>street caving in</u> over the past several years (akin to the major cave in on Harrison West).
- There are <u>no sidewalks</u> in either Oakwood Estates or in Manchester Meadows <u>and</u> we <u>have many walkers</u>, <u>joggers</u>, <u>dog walkers and even cyclists</u> that take full advantage of our quiet park-like streets.
- From where Old Oak would finally connect to Vale Park Road (at the highest elevation within the new development) down to the lowest point on Old Oak (very near Harrison Blvd. and St. Paul's Church) there is over a 100-foot elevation difference.
- To say this roadway will become a <u>down-hill speeding problem</u> for those heading south out of the Brooks
 Development and passing through the two existing, well-established, quiet developments of Oakwood &
 Manchester Meadows, is an understandable concern.

During the Phase 1 Overall Site Preparation, but more importantly in the subsequent Phases of building nearly 300 dwelling units on the individual sites, the amount of construction equipment, gravel/sand/concrete loads, earth removal, dust/debris, general noise will significant and for many years! There must be some strict ground rules established and adhered to regarding all the above "Construction Pollution" that will certainly exist and impact all the many homes directly adjacent to or near the development site. A "construction entrance" has been discussed for the Phase 1 Site Preparation only. However, if Old Oak Drive is used at any time for construction traffic, that would be very unsafe, dangerous and destructive to that street.

ZONING & ADJACENT DEVELOPMENTS

Now I wish to turn to another item, that again has been in the Master Plan/Growth Management Plan for Valparaiso for decades but is now being changed to accommodate the PUD and re-zoning proposal on the table. I knew before I purchased my current home and for the past 23 years of living in Manchester Meadows, that the land directly north of mine – the 80-acre Ransom parcel -- was destined to:

- Remain as **farmland** (how it is shown on your own current land use maps see Figure 1) or,
- Become green, open space (park lands as shown on your own current Parks Plan maps Fig.'s 2 & 7) or,
- If developed, would be SR-1 Suburban Residential or single-family homes ... i.e. one lot with one home (see Exhibits #1 & #1A).

For all the creative efforts of the Developer's design team, on a host of tricky issues due to the terrain & drainage challenges, I am very disappointed that they did not achieve the City's own guidelines on several items. Firstly, anyone who already has a single-family home/property directly adjacent (abutting property lines!) to the new development should expect that their new neighbors (and their property) be of a like kind ... a single-family homesite! The Developer did get this mostly right, for all the homes along the Keystone border (N-S) and 12 of the 16 lots on the north side of Manchester Meadows. However, for the last four (4) Manchester Meadows lots in the SW corner of the Brooks, the Developer switched to Triplex Units directly abutting the larger single-family homes in Manchester Meadows.

Here again I would <u>now ask the question of you</u>: "this has always been in the Plan, so what did you think would happen?" Answer: that the adjacent properties for those four Manchester Meadows' lots <u>be single-family properties</u> abutting them in a new development (<u>as was the Plan for years</u>) and the City would adhere to their own guidelines in

<u>Land Use of having "appropriate transitions between various land uses."</u> For the past 23 years I have anticipated that I may have a new, single family home (or maybe two lots) abutting my property to the north and have a few new neighbors. HOWEVER, <u>I did not expect, nor do I accept</u> the thought of <u>having 21 new neighbors</u> backing up to my property!

I have read the Comprehensive Plan document for the City of Valparaiso and those Chapters on Land Use Strategy & Growth Management Plan. If <u>you really meant what you stated in those documents</u>, then you should amend the proposed plan accordingly as indicated above and have single-family lots/homes abut existing single-family lots/homes.

BEAUTY CREEK WATERSHED & DRAINAGE

The next major area that I wish to address is that of the Beauty Creek Watershed (see Figure 6) and the drainage issues that have plagued this region of Valpo for the past 25-30 years. As has been pointed out by both the Developer and the City Staff, this development and the need for a PUD has a great deal to do with the tremendously challenging situation given the terrain and drainage issues from the north & east toward the south. As you all should know, in 1999 the Corps of Engineers & INDNR conducted a thorough survey/study of this watershed area dealing with Beauty Creek and all its tributaries that finally merge with Beauty Creek just before passing under Harrison Blvd. That report foretold of the many problems that would ultimately arise if key remediation steps were not done sooner than later. After that report, for nearly a decade, little was done by the City to address these problems putting the properties of 67 property owners directly in harm's way (out of the 105 lots within Manchester Meadows and the 79 lots within Oakwood Estates). Also, every one of the tributaries and Beauty Creek pass through the 21 acres of private open space, bridges and trails owned by and maintained by Manchester Meadows Property Owners Association (thus impacting all our residents). Most of the issues became exponentially worse with time as the stream beds were eroded away down to the sandy layer while the loss of banks & mature trees has been devastating! This is most abundantly clear in the Oakwood Estates subdivision and on the Dieter parcel of the new development. Even the City was not immune from this devastation when the roadway of Harrison Blvd. collapsed and caved in. The loss of a major road for 6-8 months and the \$600+K cost to repair was no small event!

Since then a second study (by DLZ) again assessed the overall situation and they also concluded that these situations within the entire Beauty Creek Watershed were critical and needed major remedies. In the past several years, the City has passed a new drainage ordinance, established increased funding to remedy drainage problems City wide, has completed several projects (in Oakwood) and has prioritized capital monies for even more work with Beauty Creek & in Manchester Meadows. However, there continue to be many homes and properties being damaged as we speak.

The developers have taken their portion of this comprehensive watershed problem and have created some very creative drainage designs/systems that <u>appear</u> to address most of the worst situations that still exist. I fully understand the challenges they faced <u>and</u> likewise understand that this is a tremendous windfall for the City to be able to address these long-standing drainage issues in an even more comprehensive manner, while also creating an acceptable in-fill development and connecting the last segment of Vale Park Road. **However**, it may be years before all the features of this drainage system are in place and functioning fully & properly. Also, there have been other systems on adjacent properties that were supposed to solve different drainage issues but failed because of poor or no maintenance.

In your desire to get the proverbial "drainage monkey off your backs," please do not lose sight of these other issues that the public has brought up. Obviously, the 67 directly impacted property owners of both Manchester Meadows and Oakwood Estates would welcome real relief from years of erosion damage, property loss and unnecessary costs due to these drainage problems. Major concerns: will the systems really resolve all our problems, who will own & who maintain these systems, how much more damage will be incurred before the new systems are in-place & functioning and what steps are planned to provide restoration to all of the previously damaged properties?

As an aside, being a multi-degreed engineer with over 45 years of experience, I was curious as to why the developer would choose to propose and design a system to "drive" much of the drainage of the development toward the north and northwest, when the natural lay of the land (& watershed) is toward the south and southwest! Remember the southwest corner of the two 80-acre parcels (Ransom & Dieter) is 85 feet lower than the high plateau to the east. Then I recalled the strong position of the Ransom family (who have been my "next-door" neighbors for nearly the past quarter century) who have always maintained that they did not want their property developed, but rather that their land remain as green space or parks (if no longer being farmed). This desire of the Ransom family has been well known by all for many years, as reflected in the City's own Proposed Land Use Plans and map (see Figures 2 & 7). Obviously, they would prefer the "open space and trails" buffer their remaining property and home in the far northwest corner from the new proposed development.

OTHER ISSUES WITH THE CURRENT PLANS

In a related point to above development design is the extensive amount of open space that will be prepared for the elaborate drainage mitigation system and the many trails throughout the Brooks development. As has been noted, a full third (53 acres) of the 150+ total acres in the two parcels (Ransom & Dieter) will have no dwelling units or homes on them. This is an unusually large portion of open space for a development site, but so are the drainage issues they are attempting to solve and the wetland/terrain issues that exist. It is however a bit disingenuous to speak about the extensive drainage problems being addressed and then speaking about the number of homes that <u>could have</u> been put on that same land. Due to the terrain, the power lines, wetlands and drainage issues, a significant portion of the land would have been difficult if not impossible to utilize for dwelling units. Also, the final 284 dwelling unit count on the remaining 100 acres being developed is still has nearly 3X the dwelling density per acre as Manchester Meadows!

There have been no C & R's (Covenants & Restrictions) presented and I understood these are a pre-requisite in advance of any plan approval by the Plan Commission & City Council. As it stands now, there are some disturbing items that already exist in the proposed development plan to include:

- The allowance for so-called Accessory Units. These "units" were presented as being either attached (as with a garage or mother-in-law suite) or detached. Currently these "units" would be allowed to be up to 40% of the square footage as the main dwelling. The single-family lot sizes in this development are not that large to begin with so, to allow a second, detached dwelling unit (plus the allowance for two out-buildings as well) is both ridiculous and illogical. The argument given that in these current times, more families find themselves needing to have multiple generations cohabitating the same property. Most people find ways to accommodate these "living" situations within a single primary dwelling.
- The current plans call for the allowance of fencing in the rear yards, the side yards <u>and</u> the front yards! With all due respect, having headed up HOA/POA's on both the east & west coasts plus 3 midwestern states, this will be a nightmare to manage & control. The 95 single-family homeowners will have 95 different ideas on what is okay & they believe is acceptable/attractive, much less 3 other areas & 284 total dwelling units!
- The concept of having 4 different housing areas (from Single-Family to Townhouses) with 4 different mini-HOA's and one oversight HOA seems complicated and very unworkable on its face. If the overall development, its maintenance & upkeep and long-term attractiveness is at all a concern, then I recommend this arrangement be totally reconsidered.
- The Townhouse "island" on the northside of the development seems a bit strange and fraught with problems. Firstly, they have no direct street access to their own development (it is over a two-mile trek on existing roads to get to their own club house!). Also, they are on the so-called "roller coaster" Ransom Road and must deal with the problematic sight distances to get in and out of their dwellings.
- Though many pages were dedicated to **Bufferyards**, the specifics were incomplete and a bit sketchy. This is especially true for the "bufferyards" with adjacent communities and existing homes (east and south).

NC - Neighborhood Conservation SR - Suburban Residential ER - Estate Residential

GR- Residential, General UR - Residential, Urban

PS - Public Space

RU - Rural

CN - Commercial, Neighborhood

CBD - Central Business District CG - Commercial, General

RT - Residential Transition CP- Central Place

CA - Campus

BP - Business Park

INL - Light Industry

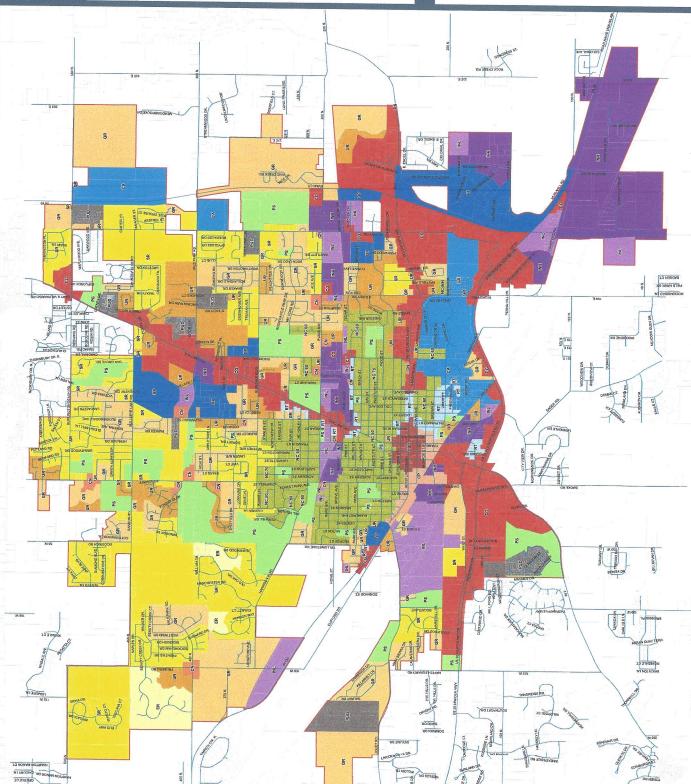
INH - Heavy Industrial

PUD - Planned Unit Development

0 1,200 2,400 3,600 4,800 Feet

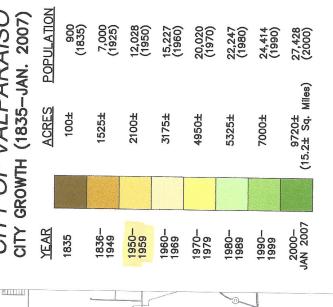


Valparaiso Unified Development Ordinance



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CITY OF VALPARAISO CITY GROWTH (1835-JAN. 2007)



JES:

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THIS MAP WAS COMPILED FROM THE CITY OF VALPARAISO'S ANNEXATION ORDINANCES.

POPULATION FIGURES WERE BASED ON U.S. CENSUS BUREAU STATISTICS PROVIDED BY THE PLANNING DEPARTMENT.

ANNEXATION BOUNDARIES SHOWN ON THIS MAP ARE APPROXIMATE LOCATIONS BASED ON RECORDED CITY ANNEXATION ORDINANCES. FOR THE EXACT LOCATION OF CITY LIMITS, PLEASE REFER TO THE ANNEXATION ORDINANCE'S LEGAL DESCRIPTION.



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JAN. 2007 VALPARAISO CEO

