

July 8, 2015

Dear Planning Commission members:

I have been observing your meetings regarding **Funds of Lieu of Sidewalks (FLS) LDC** and anxiously awaiting the return of this legislation to Council with your recommendations. Thank you all for your careful consideration.

Initially, I wasn't sure if I should have a role in this discussion. The Commission has received staff testimony regarding potential commercial impacts. I don't agree with all of these positions and don't feel it reflects our view on Council. It's appropriate for me to share my insights as the Councilman who introduced the legislation in 2013 and has been an advocate for increased sidewalks and paths in Hudson.

I was instrumental in Hudson's application to the Safe Routes to Schools program in 2011. SRTS grants have provided federal/state funding for sidewalks on Glen Echo and Parkside as well as signals and other pedestrian improvements. Part of this grant process required an analysis of existing conditions for non-vehicular mobility in Hudson. The Connect Hudson Plan presented to Council in 2012 was a result of this study. The Plan pointed out that over 21 neighborhoods with over 4000 households had no sidewalk or path connection to downtown. As presented by Tom King, it recommended a "Funds in Lieu of Sidewalks" program (called a "bank" in the presentation). In 2013 Council used that Plan as the starting point for a "Funds in Lieu of Sidewalks" ordinance.

The 2013 proposed FLS LDC changes were returned to Council from PC with questions and recommendations. One of the recommendations resulted in the appointment of the Ad Hoc Connectivity Committee, to which I was appointed council liaison.

Realizing the scope of the need for sidewalks, and the potential for political overtones, the Connectivity Committee sought to develop an objective standard for prioritizing segments. We based this in part on the annual road condition reports Council receives from Engineering. I urge PC not to get too hung up as the actual ranking as these priorities are not immutable. As with the road projects, some segments may be eligible for outside funds and move to a later year, others can be tied into to nearby jobs, and others may be small enough to fit in with left over funds for a given year and may "jump over" a higher-priority but more expensive segment.

I will ask Council to consider folding the Connectivity Committee Report into the upcoming 2015 Comprehensive Plan in some form and urge PC to review it as well.

The question of "why and where sidewalks" may lead to some circular logic. I suggest starting by deciding if we agree on some "Guiding Principles":

- 1.) Sidewalks (used generically here, could include all purpose trails that parallel but are apart from roads) enhance the value of the City in general and neighborhoods in particular.**

Case in point – Barlow Road, running east from Rt. 91 to Terex. Sidewalk on one side, frequently used, “neighborhood” feel, safe transit to parks and shopping center on corner. Contrast this with Barlow Road running west from Rt. 91 to about the railroad tracks. Same housing density and type, different feel, narrow road, unsafe to walk beside, less pedestrian and neighbor interaction.

2.) For the reasons of health, community and safety, Hudson should encourage non-vehicular transportation modes, including mass transit.

Owning to 1.) and 2.),

3.) It is the responsibility of all Hudson property owners going forward to support the funding of sidewalks and paths in Hudson, regardless of their physical location. This is the basis for Funds in Lieu of Sidewalks (FLS).

The FLS concept was introduced because the requirement for sidewalk construction in both residential and commercial applications was being waived too often. At the same time, we had a “sidewalks to nowhere” problem with large unconnected segments with limited funding options due to budget restraints. FLS came out to the same line of thinking as wetlands mitigation --a developer takes out a wetlands here, builds another elsewhere.

Considering residential lots first, it was mentioned in the previous meeting that in single lot construction the sidewalk requirement has routinely been waived, particularly on opposite sides from some existing segments. If 1.) holds, then a resident would benefit from the completion of a neighborhood sidewalk grid, even if they do not front it. They should help contribute to its development just as their neighbors may who are the sidewalk side of the street.

Since single lot construction will be the prevalent form of residential development, this policy should be changed and no waivers granted. The only decision will be to build or contribute.

I was hoping that the Planning Commission would be the body that would decide when to require construction would absolutely be required due to other sidewalks nearby or accept a contribution. If this is the case, then in the cases where there is no nearby sidewalk, the difference between the build/pay would be such that the developer would choose “pay,” owing to the fact that we would rather not have more “sidewalks to nowhere,” and would rather use those funds to complete a segment.

The same is true for commercial. In fact, it was the Heritage of Hudson case on Barlow Road (waived, no existing sidewalks on either side but narrow dangerous road conditions) that got us some of us on Council moving to introduce FLS. If this plan would have been in place, H of H would have paid into a fund that could have developed an extension of the path the same company is building on the opposite side of the street (in conjunction with the Inn). This would benefit employees and visitors to the rehab center who may enjoy a walk in the neighborhood. The same holds for the Legacy Builders south side of Barlow at the corner with 91 where the requirement was waived. A fund contribution there would have help pushed the sidewalks further west on Barlow just across 91.

More to the point when considering non-vehicular traffic in commercial areas is the absence of any accommodation to those using public transportation. This was the case when the Clarke Ford Collision Center property on Terex was being redeveloped and sidewalks were waived on Terex. This is on a regular bus route that services industries on Terex and a sidewalk could have been useful to bus riders needing to get to stop.

Failure to consider bus riders in commercial development was illustrated last year on Executive Parkway. For a time Allstate installed gates which prohibited buses from entering. There was also insufficient room for a bus turnaround at the cul de sac, which meant the Metro bus was forced to pick up passengers at the corner of Executive Parkway and Boston Mills Road. With no sidewalks, riders were forced to walk on the road in snow. Increased industrial development may mean more employees will come from outside Hudson, and some will depend on public transport. Planning should take these conditions into account, by requiring either sidewalks or waiting pads.

Looking at 91 from Terex south to the Cinema shows both the promise and lost potential of an on again off again sidewalk requirement in commercial areas. Most of sidewalk system is complete on the west side of the road, which would allow a walker to reach the movies or to the Block, for example. Except for a segment in the middle where Chrystal Clinic is located.

It's been argued that the requirement for a sidewalk discourages development. I don't believe that extra cost of a sidewalk it is a valid make or break argument to development in Hudson, especially when walks are typically being poured elsewhere on site in new construction. Putting a budget item for sidewalks or a contribution takes one more element of uncertainty from developer estimates; it is one consideration just as any other physical improvements required.

I hope my comments were instructive on how we got to this point. I understand Planning Commission will use its own criteria for recommending action, and Council will consider those points before taking action. I'm not certain if I will be at your next meeting, but I am always available to take any questions you may have.

Sincerely,

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