

# SMITHGROUP

September 4, 2019  
(Revised September 23, 2019)

Ms. Rebecca Salmon  
Assistant Director  
Marquette Downtown Development Authority  
337 W. Washington Street  
Marquette, MI 49855

RE: RRC Technical Assistance  
Marquette Downtown Plan

Dear Mr. Germain and Ms. Salmon:

On behalf of SmithGroup, Inc., ("SmithGroup") I am pleased to submit this proposal for RRC Technical Assistance for the Marquette Downtown Plan. The following is our understanding of the services which are to be provided.

## UNDERSTANDING OF THE PROJECT

The City of Marquette received its RRC baseline evaluation in June 2018 and is currently working toward certification. One recommendation from the baseline evaluation is the development of a downtown plan to provide a stronger vision and guidance for the work of the Marquette Downtown Development Authority (MDDA). The MDDA has an existing tax increment finance (TIF) plan in place from 2011 which provides legal authority to spend TIF funds, but it does not provide the level of vision that other areas of the city have received (i.e. Third Street Corridor) or areas covered by the master plan (most recently updated in 2018/2019). To address this recommendation, the MDDA is seeking assistance with creating a downtown plan, focused heavily on redevelopment opportunities and potential impacts of such activities. The MDDA envisions the completed plan will do the following:

- Define a cohesive vision for downtown Marquette which incorporates recent plans and public engagement activities;
- Evaluate and recommend actions for strengthening the connection between downtown Marquette and the Third Street Corridor;
- Evaluate and recommend actions for the best approach to fund services and improvements in the Third Street Corridor;
- Assess opportunities for redevelopment in downtown and identify priority sites based on feasibility and ability to prompt additional investment (catalytic projects);
- Update the 2013 parking study;
- Assess the feasibility of a new parking structure including costs and potential locations (not currently addressed in the study);
- Assess potential impacts on parking capacity in downtown if priority redevelopment sites replace parking or increase the need for parking; and,
- Consider unique needs a winter climate presents for infrastructure and maintenance.

### Useful links and previous work:

- [Parking Study \(2013\)](#)
- [TIF Plan \(2010\)](#)
- [Third Street Corridor Plan \(2017\)](#)
- [Baraga Place Plan \(2014\)](#)
- [Marquette Smart Growth Implementation Assistance for Coastal Communities Plan \(2008\)](#)
- [Unified Land Development Code](#)
- [Brand Presentation \(2019\)](#)

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- Working Waterfront Plan (2013)
- [Community Master Plan](#) (2015, Amended 2018; also, 2010 plan with downtown specific recommendations)
- Recent traffic studies of the area
- Data base on commercial space in downtown
- Community survey conducted as part of the recent branding study
- Bicycle traffic counts on Third Street (post improvement)
- Multi-modal Transportation Study

## PROJECT TEAM

Team members and responsibilities are as follows:

- Nelson\Nygaard Consulting Associates (Nelson\Nygaard) will work to update the recent parking management study, focusing on the potential need and benefit of a new parking deck, and the management of parking in downtown. Focus on current management practices in existing lots and make recommendations for modifications to better utilization.
- Gibbs Planning Group, Inc. (GPG) will assess the downtown area in context of recent work on Third Street to make recommendations on improving the downtown shopping experience.
- Mission North, LLC will assist the MDDA in the development of implementation strategies for moving forward and will act as peer review of the overall team's efforts to ensure a focus on economic development.
- SmithGroup will act as the lead consultant and will identify potential infill development sites, assess development density and form relative to the recently adopted downtown zoning districts, prepare illustrative sketches of potential redevelopment, and lead stakeholder engagement.

As we have discussed, we recommend forming a Steering Committee to provide in-depth feedback during the process and guide the planning work. The Steering Committee could include members of the MDDA Board already engaged in relevant committees, city planning and community development officials, and City Commission and Planning Commission representatives.

## PLANNING PROCESS

### PHASE ONE: DATA ANALYSIS AND STAKEHOLDER ENGAGEMENT

#### 1.1 DATA COLLECTION

Utilizing available studies and data, the SmithGroup team will assess existing conditions within downtown and the surrounding context to provide a base of information to use throughout the planning process. This review will focus on the data collected as part of past planning efforts and related mapping and documentation and will help us understand how various MDDA, city and county plans inform the plan for downtown.

During this task, the SmithGroup team will visit downtown to assess parking facility utilization, pedestrian activity and visitor experience, development and land use patterns, edge conditions, the layout, character and visual quality of streets, paths, open spaces and parking lots.

#### 1.2 STAKEHOLDER ENGAGEMENT

The SmithGroup team will conduct a series of focus group interviews over a day and a half period with retailers, business owners, civic groups, property owners, health care institutions, downtown residents, and city and university leaders. Focus group meetings will be interactive in nature—an open conversation about trends, challenges and opportunities in the downtown—from the perspective of the participants. All SmithGroup team members will be involved in stakeholder engagement.

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During the stakeholder engagement visit, the SmithGroup team will conduct a walking tour of downtown with local stakeholders to share and record basic observations on the health and condition of downtown.

## 1.3 DOWNTOWN ANALYSIS PLAN

Following stakeholder engagement, the SmithGroup team will prepare a graphic and written analysis of the downtown built environment regarding how it impacts commerce, and its role in the civic life of the community. This analysis shall include vehicular circulation, parking, streetscape, signage, and lighting, building placement, parks, pedestrian circulation, and the land use mix.

## PHASE TWO: PRELIMINARY RECOMMENDATIONS

### 2.1 DOWNTOWN "SHOP-ABILITY" ANALYSIS

Based upon the findings from the above analysis, GPG will develop a market-based plan for the historic commercial district to improve its retail market share and become more appealing to leading retailers and restaurants. This strategy shall include specific recommendations for building infill, parking, vehicular circulation, streetscape, signage, lighting, tenant mix, open space, and anchor placement.

### 2.2 PARKING PLAN UPDATE

Nelson\Nygaard will update their parking plan for downtown Marquette based on input from stakeholder engagement and phone interviews with key municipal and MDDA staff involved in the management of the parking system.

The previous parking plan focused on demand-management strategies in the pursuit of two primary objectives:

- Increase demand among under-valued spaces; and
- Increase availability among over-subscribed spaces.

This new effort will evaluate recent efforts and reconsider the validity and progress made on a range of parking system topics, including:

- Providing adequate parking while encouraging redevelopment opportunities
- Pricing of parking to manage demand and create appeal for more remote sites
- Reviewing revenue and costs of managing the parking system
- Reviewing the impacts of the recently implemented parking technology
- Consolidating parking supply into a parking deck to incentivize new development
- Supporting other means of downtown access, such as transit and bicycles
- Maximizing on-street parking opportunities
- Borrowing or sharing parking
- Reviewing policies for managing the parking system during large scale construction projects

### 2.3 DOWNTOWN IMPROVEMENT PLAN

A draft Downtown Improvement Plan will be prepared which synthesizes the most important information from the data collection inventory (Task 1.1) and illustrates a development framework for the project area. The development framework will graphically summarize the assets and constraints of downtown, and identify opportunities for:

- Location and scale of potential new development that strengthens urban fabric and provides viable economic benefits.
- Impact of new hospital and old site on downtown
- Access, wayfinding, and parking opportunities, including potential locations for a new parking deck

Based on review of best practices, the walk-through of downtown, and stakeholder input, the Downtown Plan may also include (as needed) recommendations for:

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- Non-motorized linkages to the waterfront, neighborhoods and community destinations
- Improvements to the streetscape and open space infrastructure
- Opportunities for physical improvement to the street environment to create a stronger sense of place in the district

The draft Downtown Improvement Plan will be graphically "loose" in nature and will explore creative approaches to improving and/or redeveloping the downtown district. Alternative solutions and approaches for specific areas of downtown will be illustrated at the draft level, for consideration and discussion with the community.

## 2.4 DOWNTOWN IMPLEMENTATION STRATEGY

The SmithGroup team will develop a Downtown Implementation Strategy which will include a set of products that connects the ideas for improving downtown to the CIP and implementation processes. As part of this task, the SmithGroup team will prepare an assessment of the following important components of the project:

- Critical public open space and streetscape improvements and priorities for implementation
- Broad budget estimates of the public infrastructure recommendations
- Key redevelopment opportunities in downtown for the private sector and for private/public partnerships
- A recommended list of policy amendments to existing zoning and development regulations related to developing in the downtown district
- How the Downtown Plan relates to the developing community master plan, current ordinances, and the CIP process

## 2.5 COMMUNITY ENGAGEMENT ON DRAFT FINDINGS

The SmithGroup team will conduct a series of stakeholder group meetings during a one-day visit to review the results of the study to-date and gather community input on the recommendations. Stakeholder groups could include city staff, merchant associations, local development and real estate professionals, representatives of the local hospital and university, and related individuals and organizations.

Our team will also meet with the MDDA Executive Director and Board Members one-on-one, or at a MDDA Board meeting, to report initial findings and assess priorities which will help define a three- to five-year work plan for the organization.

Following the community engagement meeting, the SmithGroup team will meet with MDDA staff and their invitees to discuss the input provided by the community and establish a direction for the plan.

## PHASE THREE: FINAL DOWNTOWN PLAN AND ADOPTION

### 3.1 DRAFT OF THE DOWNTOWN PLAN

Once the draft Downtown Improvement Plan has been reviewed by the community, the SmithGroup team will incorporate the input into a more refined plan. The Downtown Plan will include the following components as described above.:

- Downtown "Shop-ability" Analysis
- Parking Plan Update
- Downtown Improvement Plan
- Downtown Implementation Strategy

A final draft of the Downtown Plan will be issued to the MDDA for review and input. We will then integrate the input into the plan and package it for use in the adoption process.

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## 3.2 PRESENTATION OF THE DOWNTOWN PLAN

SmithGroup will present the Downtown Plan to the MDDA Board in a public meeting to review the primary findings.

In a separate meeting, we will present the Downtown Plan to the Planning Commission for their consideration. Our team is available to attend additional meetings in person, or through conference calls to further assist in the adoption process. Such meetings will be outside of this contract and attended only at the request of the MDDA.

## PREPARATION OF DIGITAL DATA

In the event SmithGroup is requested to prepare digital data for transmission to the Owner's consultants, contractors or other Owner authorized recipients ("Digital Data"), the Owner acknowledges that due to the limitations of the digital data software, not all elements of SmithGroup's services may be represented in the Digital Data, this being in the sole discretion of SmithGroup. Accordingly, although SmithGroup will endeavor to represent all material elements of SmithGroup's services in the Digital Data, any use shall not relieve the Owner's consultants, contractors, or other Owner authorized recipients or their respective obligations. The Owner agrees that it will include this provision in any agreements with its consultants, contractors, or other Owner authorized recipients, in which Digital Data is provided.

## SCHEDULE

SmithGroup will coordinate with the Marquette Downtown Development Authority on a proposed schedule and timing of project. It is assumed that the services described above will be completed by June 30, 2020

## CONSULTANTS

SmithGroup anticipates using the following consultant(s) for this project and the costs will be borne by SmithGroup and are included in SmithGroup projected fee.

- Nelson\Nygaard – Parking Management study
- Gibbs Planning Group – Market Research
- Mission North – Implementation Strategies

## COMPENSATION

The Marquette Downtown Development Authority shall compensate SmithGroup for the scope of services outlined above a fixed lump sum fee of \$50,340 (fifty thousand three hundred forty dollars), including reimbursable cash charges. MEDC will match an additional \$30,000 for a total project budget of \$80,340. A fee breakdown is as follows:

▪ SmithGroup.....	\$ 37,820
▪ Nelson\Nygaard.....	\$ 29,720
▪ Gibbs Planning Group.....	\$ 5,000
▪ Mission North.....	\$ 7,800

## ADDITIONAL SERVICES

Requests for additional services or staff will be documented by SmithGroup (if given verbally), and the work will commence upon Marquette Downtown Development Authority approval of an estimated fee for that effort or, if not agreed otherwise, Marquette Downtown Development Authority shall reimburse SmithGroup on an hourly basis of SmithGroup's project staff actively engaged for all personnel hours worked on the project.

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## PAYMENTS

Invoices will be prepared monthly on the basis of percentage of completion.

All payments due to SmithGroup shall be made monthly upon presentation of the statement of services rendered. All payments due SmithGroup under this agreement shall bear interest at one-and one-half (1½%) percent per month commencing thirty (30) days after the date of billing. or fitness for any particular purpose.

## LIMITATION OF LIABILITY

NOTWITHSTANDING ANYTHING TO THE CONTRARY AND TO THE FULLEST EXTENT PERMITTED BY LAW, MARQUETTE DOWNTOWN DEVELOPMENT AUTHORITY AGREES THAT THE TOTAL LIABILITY OF SMITHGROUP IN CONNECTION WITH THIS AGREEMENT, WHETHER IN CONTRACT, TORT, NEGLIGENCE, BREACH OR OTHERWISE, SHALL NOT EXCEED AND SHALL BE LIMITED TO THE TOTAL COMPENSATION RECEIVED BY SMITHGROUP UNDER THIS AGREEMENT.

## MISCELLANEOUS PROVISIONS

SmithGroup will use reasonable professional efforts and judgment in responding in the design to applicable federal, state and local laws, rules, codes, ordinances and regulations. Marquette Downtown Development Authority acknowledges that certain state and local laws, rules, codes, ordinances and regulations may reference standards that are outdated and/or contrary with today's industry requirements. SmithGroup cannot and does not warrant or guarantee that the Project will comply with all such outdated and/or contrary federal, state and local laws, rules, codes, ordinances and regulations.

Notwithstanding anything to the contrary, nothing contained herein shall be construed: i) to constitute a guarantee, warranty or assurance, either express or implied, that the SmithGroup's Services will yield or accomplish a perfect outcome for this Project; or ii) to obligate the SmithGroup to exercise professional skill or judgment greater than the standard of care exercised by other similarly situated design professionals currently practicing in the same locale as this Project, under the same requirements of this Agreement; or iii) as an assumption by the SmithGroup of liability of any other party.

SmithGroup will use reasonable professional efforts and judgment to interpret applicable ADA requirements and other federal, state and local laws, rules, codes, ordinances and regulations as applicable to this Project. Marquette Downtown Development Authority acknowledges that requirements of ADA, as well as other federal, state and local laws, rules, codes, ordinances and regulations, will be subject to various and possibly contradictory interpretations. SmithGroup cannot and does not warrant or guarantee that the Project will comply with all interpretations of the ADA requirements and/or the requirements of other federal, state and local laws, rules, codes, ordinances and regulations.

Thank you for contacting SmithGroup. We look forward to working with you on this project.

Sincerely

  
Kathleen Duffy, AICP  
Associate | Planner

  
Robert R. Doyle, ASLA  
Principal | Landscape Architect

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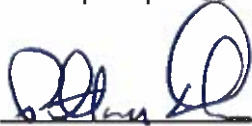
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This document will serve as an agreement between us, and you may indicate your acceptance by signing in the space provided below and returning one (1) signed copy for our files.



SmithGroup  
(Signature)

Patrick M. Doher, Senior Vice President  
(Printed name and title)

September 30, 2019  
Date



Marquette Downtown Development Authority  
(Signature)

Rebecca Salmon, Executive Director  
(Printed name and title)

10/1/19  
Date