



**THE CITY OF THE VILLAGE OF DOUGLAS
REGULAR MEETING OF THE CITY COUNCIL
MONDAY, JULY 01, 2024 AT 7:00 PM
86 W CENTER ST., DOUGLAS MI**

AGENDA

View remotely, online or by phone -

Join online by visiting: <https://us02web.zoom.us/j/85294070528>

Join by phone by dialing: +1 (312) 626-6799 | **Then enter "Meeting ID":** 852 9407 0528

1. **CALL TO ORDER:** By Mayor
2. **ROLL CALL:** By Clerk
3. **PLEDGE OF ALLEGIANCE:** Led by Mayor
4. **CONSENT CALENDAR**
 - A. Approve the Council Meeting Agenda for July 1, 2024
 - B. Approve the Council Regular Meeting Minutes for June 17, 2024
 - C. Approve the Council Special Meeting Minutes for June 24, 2024
 - D. Approve Invoices in the amount of \$92,611.18

Motion to approve the Consent Calendar of July 1, 2024 – roll call vote
5. **PUBLIC COMMUNICATION - VERBAL (LIMIT OF 3 MINUTES, AGENDA ITEMS ONLY)**
6. **PUBLIC COMMUNICATION - WRITTEN**
 - A. Marc Newman, Tim Smith, Mike Ger - Letters
 - B. Karen Pulick - Letter
 - C. Jeffrey Kerr - Centre Collective Update
7. **UNFINISHED BUSINESS**
8. **NEW BUSINESS**

A. Flywheel Companies Workshop Meeting Date (L. Nocerini)

Motion to approve holding a workshop meeting on the date of (July 15 at 5:00 p.m. or July 22 at 5:30 p.m.) with Flywheel Companies to start discussions about affordable/attainable/workforce housing options in the City of Douglas. - roll call vote

B. Lead Water Service Line Replacement – Sole Source Vendor (L. Nocerini)

Motion to approve Unema Plumbing of Holland, Michigan as a preferred sole source vendor for lead service line replacement for Fiscal Year 24/25 or until the budget is exhausted. - roll call vote

C. PUD Amendment - Westshore PUD (Ord. 03-2012) Request to finalize the location of internal pathways/public-private pathway designation discussion (S. Homyen)

Motion to open the public hearing - roll call vote

- a. Applicant Presentation
- b. Comments from Public
- c. Comments from Planning and Zoning Administrator
- d. Comments from City Council

Motion to close the public hearing. - roll call vote

Motion to refer the application back to the Planning Commission for further discussion. - roll call vote

9. REPORTS

A. Commission/Committee/Boards

- 1. Planning Commission
- 2. Kalamazoo Lake Sewer Water
- 3. Downtown Development Authority
- 4. Kalamazoo Lake Harbor Authority
- 5. Douglas Harbor Authority
- 6. Douglas Brownfield Authority
- 7. Fire Board
- 8. Community Recreation
- 9. Playground Committee

B. Administration Report

10. PUBLIC COMMUNICATION – VERBAL (LIMIT OF 3 MINUTES, ITEMS NOT ON AGENDA)

11. COUNCIL COMMENTS

12. MAYOR’S REPORT/COMMENTS

13. ADJOURNMENT

Motion to adjourn the meeting.

Please Note – The City of the Village of Douglas (the “City”) is subject to the requirements of the Americans with Disabilities Act of 1990. Individuals with disabilities who plan to attend this meeting and who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of this meeting or the facilities, are requested to contact Laura Kasper, City Clerk, at (269) 857-1438, or clerk@douglasmi.gov to allow the City to make reasonable accommodations for those persons. CITY OF THE VILLAGE OF DOUGLAS, ALLEGAN COUNTY, MICHIGAN



**THE CITY OF THE VILLAGE OF DOUGLAS
REGULAR MEETING OF THE CITY COUNCIL
MONDAY, JUNE 17, 2024 AT 7:00 PM
86 W CENTER ST., DOUGLAS MI**

MINUTES

1. CALL TO ORDER: By Mayor North

2. ROLL CALL: By Clerk Kasper

PRESENT

Mayor Cathy North

Councilmember Jerome Donovan

Councilmember Neal Seabert

Councilmember John O'Malley

Mayor Pro-Tem Randy Walker

Councilmember Matt Balmer

Also Present City Manager Nocerini

City Clerk Laura Kasper

Planning and Zoning Administrator Sean Homyen

ABSENT

Councilmember Gregory Freeman

3. PLEDGE OF ALLEGIANCE: Led by Mayor North

4. CONSENT CALENDAR

A. Approve the Council Meeting Agenda for June 17, 2024

B. Approve the Council Workshop Meeting Minutes for June 3, 2024

C. Approve the Council Regular Meeting Minutes for June 3, 2024

D. Approve the Council Workshop Meeting Minutes for June 10, 2024

E. Approve invoices in the amount of \$65,298.18

F. Reappointments - Kenneth Kutzel, Louise Pattison, Cathy North(alternate) to ZBA

Motion by Donovan, second by Seabert, to amend the Consent Calendar approval, and remove the approval of the Council Minutes for June 3rd until 'we' get further definite clarification in writing from the City Attorney. – Motion failed by roll call vote. Voting yea; O'Malley, Seabert, Donovan; Voting nay; Walker, Balmer, North

Motion by Balmer, second by O'Malley, to approve the Consent Calendar of June 17, 2024 – Motion carried by roll call vote. Voting yea; Seabert, Walker, Balmer, O'Malley, North; Voting nay; Donovan

5. PUBLIC COMMUNICATION - VERBAL (LIMIT OF 3 MINUTES, AGENDA ITEMS ONLY): No communication received.

6. PUBLIC COMMUNICATION - WRITTEN

A. Betsy York – Letter – entered into the record

B. City Clerk - Nominating Petition Notice – entered into the record

7. UNFINISHED BUSINESS: No business to attend to.

8. NEW BUSINESS

A. City Treasurer Appointment (L. Nocerini): City Manager Nocerini provided background to candidate search. Jennifer Tien was present and addressed Council.

Motion by Balmer, second by Walker, to approve the appointment of Jennifer Tien as the City Treasurer for the City of Douglas. – Motion carried by unanimous roll call vote.

City Clerk Kasper administered official oath of office to Jennifer Tien, officiating Tier as the City Treasurer for the City of the Village of Douglas.

B. Resolution 13-2024 - Amending the Budget of the 2023/2024 General Appropriations Act (L. Nocerini) - Monika Fontaine, contractual consultant with Plante Morane addressed councilmembers and provided background to the annual procedural budget item.

Motion by Balmer, second by O'Malley, to adopt resolution 13-2024, outlining amendments to the City of the Village of Douglas 2023-2024 fiscal year budget. – Motion carried by unanimous roll call vote.

C. Carbon Six Architectural Design Agreement (L. Nocerini) – City Manager Nocerini addressed Councilmembers on the procedural items of action needed, following approval of agreement. (concurrent to agenda items; 8.D., 8.E.)

Motion by Walker, second by O'Malley, to approve the agreement for Carbon Six Construction to complete the architectural design phase for 415 Wiley Road. – Motion carried by unanimous roll call vote.

D. Carbon Six Architectural Design Phase Funding (L. Nocerini)

Motion by O'Malley, second by Walker, to approve funding in the amount of \$129,150.00 for Carbon Six Construction to complete the architectural design phase for 415 Wiley Road, with funds to be allocated from the FY24/25 budget under the building fund, including a transfer from the general fund to the building fund to cover these costs. – Motion carried by unanimous roll call vote.

E. Resolution 14-2024 - Architectural Design Reimbursement (L. Nocerini)

Motion by Balmer, second by O'Malley, to adopt resolution 14-2024, approving reimbursement to the general fund from future loan proceeds for architectural design work at 415 Wiley Road, in the amount of \$129,150.00 upon closure of the loan. – Motion carried by unanimous roll call vote.

F. Ordinance No. 03-2024 - Amending Procedures for Transfer of Surplus Real Property - Second Reading (Public Hearing) (L. Nocerini)

Motion by Balmer, second by Walker, to open the public hearing for ordinance 03-2024. – Motion carried by unanimous roll call vote.

1. Administration Report – City Manager Nocerini addressed - City Council directed the City Administration to work with the City Attorney and suggested amendments to the existing Surplus Property Ordinance. Discussions for revisions with the current surplus property ordinance provided

needed amendments to the detailing sections that were cumbersome and restrictive, noting the process to be laden with red tape, hindering the efficient and effective management of City-owned surplus properties. Additionally stated, the Amendment ordinance is essential to cut unnecessary red tape, broaden the scope of property utilization, and safeguard the integrity of the City's assets, thus inherently enabling more efficient management, enhancing a potential for community development, and uphold public trust.

2. Public Comments – No comments received

3. Council Comments – Balmer was in favor of the amendments to the ordinance. Mayor North mentioned additional wording amendment to section 5. Item 2.; from *shall* to *may*, as recommended by the City Attorney, but did not reflect in the provided draft. Walker concurred.

Motion by Seabert, second by Balmer, to close the public hearing for ordinance 03-2024. – Motion carried by unanimous roll call vote.

Motion by Walker, second by O'Malley, to adopt ordinance 03-2024, amending procedures for transfer of surplus real property, as amended with the change to section 5. Item 2. By updating the work from Shall to may. - Motion carried by unanimous roll call vote.

G. Ordinance No. 04-2024 - Zoning of Annexed Parcel - 6825 Wiley Road - Second Reading (Public Hearing) (S. Homyen)

Motion by Seabert, second by Walker, to open the public hearing for ordinance 04-2024. – Motion carried by unanimous roll call vote.

1. Administration Report – Planning and Zoning Administrator Homyen addressed Councilmembers on the item that was presented as a first reading at the June 3, 2024, meeting. The Planning and Zoning Administrator's report to the Planning Commission dated April 19, 2024 was included for reference in the Council packet and provided review of procedures of assigning a zoning designation, analysis of the amendment criteria, and resolution of the purchasing of the property. Reiteration was stated for the terms of assigning the *zoning* of a parcel.

2. Public Comments – No comments received

3. Council Comments – Balmer mentioned the importance of the property as relating to future goals and growth of the City, along with the requirement to assign zoning.

Motion by Balmer, second by Walker, to close the public hearing for ordinance 04-2024. -Motion carried by unanimous roll call vote.

Motion by Walker, second by O'Malley, to adopt ordinance 04-2024, assignment of the R-5 zoning district to the parcel located at 6825 Wiley Road (PPN 59-017-089-40) annexed by the City of the Village of Douglas. – Motion carried by unanimous roll call vote.

H. Ordinance No. 05-2024 - Zoning Text Amendment - Swimming Pools - Second Reading (Public Hearing) (S. Homyen)

Motion by Balmer, second by O'Malley, to open the public hearing for ordinance 05-2024. – Motion carried by unanimous roll call vote.

1. Administration Report - Planning and Zoning Administrator Homyen addressed Councilmembers on the item that was presented as a first reading at the June 3, 2024, meeting. Recent applications for pools within the City revealed some outdated language in the Zoning Ordinance pertaining to the requirements for fencing, citing that swimming pool installation requires a zoning permit and a

building permit before construction can begin. The Zoning Ordinance and building codes both have the intent to prioritize safety, with the building codes ability to change more frequently as technology and building materials evolve for more efficiency and safety. The Zoning Ordinance should usually reflect this type of change as well, as the two codes tend to work in unison. Michigan Township Services building inspectors administer the 2015 International Swimming Pool and Spa Code 2015, which reflects more comprehensive requirements than the Michigan Residential Code.

2. Public Comments – No comments received
3. Council Comments – No comments received

Motion by Balmer, second by O'Malley, to close the public hearing for ordinance 05-2024. – Motion carried by unanimous roll call vote.

Motion by Balmer, second by O'Malley, to adopt ordinance 05-2024, text amendment to Article 16, General Provisions, Section 16.6, Swimming Pools, Subsection 3, Fences, parts a. and c. of the City of the Village of Douglas Zoning Ordinance. – Motion carried by unanimous roll call vote.

9. REPORTS

A. Commission/Committee/Boards

1. Planning Commission – continued work on master plan, and Westshore public trails item moving on to Council
2. Kalamazoo Lake Sewer Water – discussion of local watermain break
3. Downtown Development Authority – upcoming Douglas Farmers Market on Tuesdays, and Beats on Beery event
4. Kalamazoo Lake Harbor Authority – no meeting
5. Douglas Harbor Authority – no meeting
6. Douglas Brownfield Authority – no meeting
7. Fire Board – met prior to Council and approved their budget, Council will hold a special meeting on June 24th, 2024 for their approval
8. Community Recreation – no meeting
9. Playground Committee – no meeting

- B. Administration Report – City Manager Nocerini provided updates - Council will hold a workshop in July to meet with Flywheel, welcomed the new City Treasurer Jennifer Tien, mentioned the Fire Departments work with their budget and well-maintained equipment, and thanked the Police and DPW for the work with the Town Crier race.

10. PUBLIC COMMUNICATION – VERBAL (LIMIT OF 3 MINUTES, ITEMS NOT ON AGENDA): No communication

11. **COUNCIL COMMENTS:** Balmer thanked everyone for their hard work and welcomed Jennifer Tien. O'Malley mentioned concern with KLSWA not fixing the watermain break mentioned in the report. Donovan said he feels procedurally the raise with the manager was wrong. Seabert mentioned addressing weeds on bike path and the need for action with the deer issue.

12. **MAYOR'S REPORT/COMMENTS:** Mayor North welcomed the new City Treasurer Jennifer Tien and acknowledged the Fire Department meeting was well set up.

13. ADJOURNMENT

Motion by Balmer, second by Walker, to adjourn the meeting.

Approved on this 1st day of July 2024

Signed: _____ Date: _____
Cathy North, Mayor

Signed: _____ Date: _____
Laura Kasper, City Clerk

Certification of Minutes

I hereby certify that the attached is a true and correct copy of the minutes of a regular meeting of the City Council of the City of the Village of Douglas held on June 17, 2024, I further certify that the meeting was duly called and that a quorum was present.

Signed: _____ Date: _____
Laura Kasper, City Clerk



**THE CITY OF THE VILLAGE OF DOUGLAS
SPECIAL MEETING OF THE CITY COUNCIL
MONDAY, JUNE 24, 2024 AT 5:30 PM
86 W CENTER ST., DOUGLAS MI**

MINUTES

1. **CALL TO ORDER:** By Mayor North
2. **ROLL CALL:** By Clerk Kasper
PRESENT
Mayor Cathy North
Councilmember Jerome Donovan
Councilmember Neal Seabert
Councilmember John O'Malley
Mayor Pro-Tem Randy Walker
Councilmember Gregory Freeman
Also Present City Clerk Laura Kasper
Deputy Clerk Dawn Raza
ABSENT - Councilmember Matt Balmer
3. **PLEDGE OF ALLEGIANCE:** Led by Mayor North
4. **PUBLIC COMMUNICATION - VERBAL:** No communications
5. **PUBLIC COMMUNICATION – WRITTEN:** No communications received
6. **NEW BUSINESS**
 - A. Resolution 15-2024 - STFD FY 24/25 BUDGET – Fire Chief Greg Janik was present for discussion and addressed Councilmembers questions.

Motion by Freeman, second by O'Malley, to adopt resolution 15-2024, approving the Saugatuck Township Fire District annual budget for Fiscal Year 2024/2025. – Motion carried by unanimous roll call vote.

7. **PUBLIC COMMUNICATION – VERBAL:** No communications
8. **COUNCIL COMMENTS:** Walker mentioned the Tuesday Farmers Market and upcoming Beats on Beery event.
9. **MAYOR'S REPORT/COMMENTS:** Mayor North noted the aquatic treatments have made a noticeable difference at Wades Bayou.

10. **ADJOURNMENT**

Motion by Seabert, second by O'Malley, to adjourn the meeting.

Approved on this 1st day of July 2024

Signed: _____ Date: _____
Cathy North, Mayor

Signed: _____ Date: _____
Laura Kasper, City Clerk

Certification of Minutes

I hereby certify that the attached is a true and correct copy of the minutes of a special meeting of the City Council of the City of the Village of Douglas held on June 24, 2024, I further certify that the meeting was duly called and that a quorum was present.

Signed: _____ Date: _____
Laura Kasper, City Clerk

06/28/2024 INVOICE REGISTER REPORT FOR CITY OF THE VILLAGE OF DOUGLAS
 EXP CHECK RUN DATES 07/01/2024 - 07/01/2024
 BOTH JOURNALIZED AND UNJOURNALIZED
 BOTH OPEN AND PAID

Inv Num	Vendor	Inv Date	Due Date	Inv Amt
Inv Ref#	Description	Entered By		
GL Distribution				
89288763				
48602	ABSOPURE WATER COMPANY	05/10/2024	07/01/2024	86.85
101-301.000-740.000	SUPPLIES			86.85
89288764				
48603	ABSOPURE WATER COMPANY	05/10/2024	07/01/2024	16.85
101-265.000-740.000	SUPPLIES			16.85
6-25-24				
48629	ADOLPHINE LABATE	06/25/2024	07/01/2024	50.00
101-000.000-675.000	OTHER REVENUE			50.00
5-24				
48650	ALLEGAN COUNTY SHERIFF'S DEPT.	06/20/2024	07/01/2024	312.00
101-463.000-802.000	CONTRACTUAL			312.00
4-24				
48651	ALLEGAN COUNTY SHERIFF'S DEPT.	06/21/2024	07/01/2024	164.00
101-463.000-802.000	CONTRACTUAL			164.00
6-26-24				
48647	ANTHONY BROWN	06/26/2024	07/01/2024	5.32
101-463.000-722.000	WORKERS COMPENSATION			5.32
25208				
48577	AQUATIC DOCTORS	06/11/2024	07/01/2024	32,380.00
594-597.002-802.000	CONTRACTUAL			32,380.00
2ND QTR24				
48701	MATT BALMER	06/30/2024	07/01/2024	350.00
101-701.000-703.000	WAGES			150.00
101-101.000-703.000	WAGES			200.00
2431				
48657	BILLS TREE SERVICE	06/18/2024	07/01/2024	1,500.00
101-463.000-802.010	CONTRACTUAL FORESTRY			1,500.00
2ND QTR24				
48704	PAUL BUSZKA	06/30/2024	07/01/2024	150.00
101-701.000-703.000	WAGES			150.00
06-2024				
48600	COMCAST	06/15/2024	07/01/2024	224.56
101-301.000-851.000	TELEPHONE			224.56
05-2024CITYHALL				
48601	COMCAST	06/13/2024	07/01/2024	409.97
101-265.000-851.000	TELEPHONE			409.97
BTS24-002				
48713	COMMUNITY PRIDE	06/28/2024	07/01/2024	50.00
101-000.000-255.000	CUSTOMER DEPOSITS AND INTEREST PAYABLE			50.00
204301208972				
48606	CONSUMERS ENERGY	06/18/2024	07/01/2024	36.69

	101-265.000-922.000	UTILITIES			36.69
204301208971					
	48607	CONSUMERS ENERGY	06/18/2024	07/01/2024	86.28
	101-265.000-922.000	UTILITIES			86.28
205547007055					
	48608	CONSUMERS ENERGY	06/17/2024	07/01/2024	38.87
	101-751.000-922.000	UTILITIES			38.87
204568161748					
	48609	CONSUMERS ENERGY	06/17/2024	07/01/2024	62.44
	213-753.000-922.000	UTILITIES			62.44
204924124708					
	48610	CONSUMERS ENERGY	06/19/2024	07/01/2024	43.64
	594-597.000-922.000	UTILITIES			43.64
204924124707					
	48611	CONSUMERS ENERGY	06/19/2024	07/01/2024	37.23
	594-597.000-922.000	UTILITIES			37.23
6-19-24					
	48627	DAWN RAZA	06/19/2024	07/01/2024	303.87
	101-215.000-718.002	MISC TRAVEL EXPENSES-TRAINING			51.28
	101-215.000-861.000	MILEAGE REIMBURSEMENT			252.59
2ND QTR24					
	48698	JEROME DONOVAN	06/30/2024	07/01/2024	250.00
	101-101.000-703.000	WAGES			250.00
9102					
	48630	DOUGLAS SHELL	06/18/2024	07/01/2024	1,164.07
	101-301.000-930.004	VEHICLE MAINTENANCE & REPAIRS			1,164.07
MIHOL470095					
	48621	FASTENAL COMPANY	06/12/2024	07/01/2024	(139.13)
	101-751.000-977.000	EQUIPMENT			(139.13)
MIHOL470096					
	48622	FASTENAL COMPANY	06/12/2024	07/01/2024	(69.56)
	101-751.000-977.000	EQUIPMENT			(69.56)
MIHOL470097					
	48623	FASTENAL COMPANY	06/12/2024	07/01/2024	(69.56)
	101-751.000-977.000	EQUIPMENT			(69.56)
6-22-24					
	48614	FRED ROYCE	06/22/2024	07/01/2024	377.37
	450-000.000-974.000	CONSTRUCTION			377.37
2ND QTR24					
	48699	GREGORY FREEMAN	06/30/2024	07/01/2024	250.00
	101-101.000-703.000	WAGES			250.00
2ND QTR24					
	48706	PATTY HANSON	06/30/2024	07/01/2024	150.00
	101-701.000-703.000	WAGES			150.00
2ND QTR24					
	48705	KELLI HENEGHAN	06/30/2024	07/01/2024	50.00
	101-701.000-703.000	WAGES			50.00
2ND QTR24					
	48709	THOMAS HICKEY	06/30/2024	07/01/2024	100.00
	101-701.000-703.000	WAGES			100.00

456733						
48624	HOLLAND P.T.		06/13/2024	07/01/2024		440.81
	660-903.000-930.004	VEHICLE MAINTENANCE & REPAIRS				440.81
6-21-24						
48605	KYLE HOOKER		06/01/2024	07/01/2024		91.35
	101-463.000-750.000	UNIFORMS				91.35
291641						
48618	IHLE AUTO PARTS		06/20/2024	07/01/2024		6.54
	660-903.000-930.004	VEHICLE MAINTENANCE & REPAIRS				6.54
2ND QTR24						
48700	JOHN O'MALLEY		06/30/2024	07/01/2024		450.00
	101-101.000-703.000	WAGES				300.00
	101-701.000-703.000	WAGES				150.00
486WATERMAY24						
48587	KALAMAZOO LAKE SEWER & WATER		06/15/2024	07/01/2024		69.74
	101-265.000-922.000	UTILITIES				69.74
SHINGTONMAY24						
48588	KALAMAZOO LAKE SEWER & WATER		06/15/2024	07/01/2024		199.75
	101-751.000-922.000	UTILITIES				199.75
SHINGTONMAY24						
48589	KALAMAZOO LAKE SEWER & WATER		06/15/2024	07/01/2024		68.26
	594-597.000-922.000	UTILITIES				68.26
0SCHULTZMAY24						
48590	KALAMAZOO LAKE SEWER & WATER		06/15/2024	07/01/2024		279.06
	101-751.000-922.000	UTILITIES				279.06
25MAINMAY24						
48591	KALAMAZOO LAKE SEWER & WATER		06/15/2024	07/01/2024		22.87
	101-751.000-922.000	UTILITIES				22.87
25MAINIRRIMAY24						
48592	KALAMAZOO LAKE SEWER & WATER		06/15/2024	07/01/2024		483.98
	101-751.000-922.000	UTILITIES				483.98
AKESHOREMAY24						
48593	KALAMAZOO LAKE SEWER & WATER		06/15/2024	07/01/2024		91.02
	101-751.000-922.000	UTILITIES				91.02
47CENTERMAY24						
48594	KALAMAZOO LAKE SEWER & WATER		06/15/2024	07/01/2024		55.98
	101-751.000-922.000	UTILITIES				55.98
86CENTERMAY24						
48595	KALAMAZOO LAKE SEWER & WATER		06/15/2024	07/01/2024		80.89
	101-265.000-922.000	UTILITIES				80.89
47CENTERMAY24						
48596	KALAMAZOO LAKE SEWER & WATER		06/15/2024	07/01/2024		168.31
	101-301.000-922.000	UTILITIES				168.31
155CENTERMAY24						
48597	KALAMAZOO LAKE SEWER & WATER		06/15/2024	07/01/2024		78.64
	101-751.000-922.000	UTILITIES				78.64
5BLUESTARMAY24						
48598	KALAMAZOO LAKE SEWER & WATER		06/15/2024	07/01/2024		66.13
	101-265.000-922.000	UTILITIES				66.13
26BAYOUMAY24						

48599	KALAMAZOO LAKE SEWER & WATER	06/15/2024	07/01/2024	145.68
	101-751.000-922.000 UTILITIES			145.68

248936				
48631	KERKSTRA RESTROOM SERVICE	06/21/2024	07/01/2024	190.00
	101-751.000-802.000 CONTRACTUAL			190.00

248933				
48632	KERKSTRA RESTROOM SERVICE	06/21/2024	07/01/2024	305.00
	101-751.000-802.000 CONTRACTUAL			305.00

248934				
48633	KERKSTRA RESTROOM SERVICE	06/21/2024	07/01/2024	115.00
	101-751.000-802.000 CONTRACTUAL			115.00

248935				
48634	KERKSTRA RESTROOM SERVICE	06/21/2024	07/01/2024	115.00
	101-751.000-802.000 CONTRACTUAL			115.00

248932				
48635	KERKSTRA RESTROOM SERVICE	06/21/2024	07/01/2024	115.00
	101-751.000-802.000 CONTRACTUAL			115.00

248930				
48636	KERKSTRA RESTROOM SERVICE	06/21/2024	07/01/2024	115.00
	101-751.000-802.000 CONTRACTUAL			115.00

2800				
48658	LAKESHORE OUTDOORS LLC	06/17/2024	07/01/2024	186.56
	101-463.000-802.000 CONTRACTUAL			186.56

43645747				
48648	LINDE GAS & EQUIPMENT	06/22/2024	07/01/2024	42.78
	660-903.000-860.000 GAS & OIL			42.78

68673				
48578	MENARDS - SOUTH HAVEN	05/03/2024	07/01/2024	905.15
	101-751.000-740.000 SUPPLIES			181.28
	203-463.000-930.000 REPAIRS & MAINTENANCE: GENERAL			361.94
	202-463.000-930.000 REPAIRS & MAINTENANCE: GENERAL			361.93

68815				
48579	MENARDS - SOUTH HAVEN	05/07/2024	07/01/2024	255.81
	101-751.000-977.000 EQUIPMENT			119.92
	101-751.000-740.000 SUPPLIES			135.89

69472				
48580	MENARDS - SOUTH HAVEN	05/22/2024	07/01/2024	89.63
	101-751.000-977.000 EQUIPMENT			36.99
	101-463.000-802.007 LANDSCAPING SERVICES			27.08
	101-751.000-930.000 REPAIRS & MAINTENANCE: GENERAL			25.56

32530				
48581	MENARDS-HOLLAND	05/20/2024	07/01/2024	1,500.00
	101-751.000-930.000 REPAIRS & MAINTENANCE: GENERAL			1,500.00

32708				
48582	MENARDS-HOLLAND	05/23/2024	07/01/2024	168.84
	101-463.000-740.000 SUPPLIES			168.84

32802				
48583	MENARDS-HOLLAND	05/24/2024	07/01/2024	44.99
	101-751.000-977.000 EQUIPMENT			44.99

33242				

48584	MENARDS-HOLLAND	05/30/2024	07/01/2024	134.02
	101-265.000-740.000	SUPPLIES		63.94
	101-751.000-740.000	SUPPLIES		70.08

34238				
48585	MENARDS-HOLLAND	06/13/2024	07/01/2024	95.85
	101-751.000-930.000	REPAIRS & MAINTENANCE: GENERAL		80.88
	101-751.000-740.000	SUPPLIES		14.97

35156				
48644	MENARDS-HOLLAND	06/26/2024	07/01/2024	23.40
	101-265.000-930.000	REPAIRS & MAINTENANCE: GENERAL		23.40

35148				
48645	MENARDS-HOLLAND	06/26/2024	07/01/2024	42.38
	101-265.000-930.000	REPAIRS & MAINTENANCE: GENERAL		42.38

5073790074				
48639	MICHIGAN GAS UTILITIES	06/21/2024	07/01/2024	42.93
	101-301.000-922.000	UTILITIES		42.93

5074377254				
48640	MICHIGAN GAS UTILITIES	06/21/2024	07/01/2024	13.25
	594-597.000-922.000	UTILITIES		13.25

5074211341				
48641	MICHIGAN GAS UTILITIES	06/21/2024	07/01/2024	49.44
	101-265.000-922.000	UTILITIES		49.44

5073175679				
48642	MICHIGAN GAS UTILITIES	06/21/2024	07/01/2024	40.66
	101-265.000-922.000	UTILITIES		40.66

0001016				
48628	MICHIGAN MUNICIPAL LEAGUE	05/01/2024	07/01/2024	1,112.00
	101-101.000-908.000	DUES/FEES/PUBLICATIONS		1,011.00
	101-266.000-801.000	CONTRACTUAL ATTORNEY		101.00

41107				
48613	NEW DAWN LINEN SERVICE	06/24/2024	07/01/2024	48.26
	101-265.000-802.000	COMMERCIAL CLEANING		15.53
	101-301.000-802.000	COMMERCIAL CLEANING		32.73

2ND QTR24				
48697	CATHY NORTH	06/30/2024	07/01/2024	450.00
	101-101.000-703.000	WAGES		450.00

370222534001				
48576	ODP BUSINESS SOLUTIONS	06/05/2024	07/01/2024	100.98
	101-265.000-740.000	SUPPLIES		100.98

2406-766404				
48586	OVERISEL LUMBER CO.	06/04/2024	07/01/2024	14.99
	101-301.000-740.000	SUPPLIES		14.99

2406-772837				
48619	OVERISEL LUMBER CO.	06/24/2024	07/01/2024	18.99
	101-751.000-930.000	REPAIRS & MAINTENANCE: GENERAL		18.99

2406-772937				
48620	OVERISEL LUMBER CO.	06/24/2024	07/01/2024	(8.49)
	101-751.000-930.000	REPAIRS & MAINTENANCE: GENERAL		(8.49)

2406-771895				
48654	OVERISEL LUMBER CO.	06/20/2024	07/01/2024	116.77

101-751.000-930.000	REPAIRS & MAINTENANCE: GENERAL			116.77
2406-771382				
48655 OVERISEL LUMBER CO.		06/19/2024	07/01/2024	289.98
101-751.000-930.000	REPAIRS & MAINTENANCE: GENERAL			289.98
2406-772420				
48656 OVERISEL LUMBER CO.		06/21/2024	07/01/2024	10.05
101-751.000-930.000	REPAIRS & MAINTENANCE: GENERAL			10.05
2ND QTR24				
48707 LOUISE PATTISON		06/30/2024	07/01/2024	150.00
101-701.000-703.000	WAGES			150.00
2ND QTR24				
48708 LAURA PETERSON		06/30/2024	07/01/2024	50.00
101-701.000-703.000	WAGES			50.00
6-2024				
48575 PITNEY BOWES INC		06/16/2024	07/01/2024	603.75
101-215.000-901.000	POSTAGE			603.75
10270397				
48710 PLANTE MORAN		06/28/2024	07/01/2024	11,477.50
101-215.000-802.009	CONTRACTUAL FINANCIAL CONSULT			11,477.50
10922743				
48711 PLUNKETT COONEY		06/18/2024	07/01/2024	3,577.50
101-701.000-801.000	CONTRACTUAL ATTORNEY			420.00
101-266.000-801.000	CONTRACTUAL ATTORNEY			3,157.50
10922744				
48712 PLUNKETT COONEY		05/31/2024	07/01/2024	5,490.00
101-701.000-801.000	CONTRACTUAL ATTORNEY			5,287.50
101-266.000-801.000	CONTRACTUAL ATTORNEY			202.50
82043				
48616 PREIN & NEWHOF		06/07/2024	07/01/2024	5,947.00
450-536.000-974.000	CONSTRUCTION			5,947.00
825044				
48617 PREIN & NEWHOF		06/07/2024	07/01/2024	2,859.31
450-536.000-974.000	CONSTRUCTION			2,859.31
82395				
48659 PREIN & NEWHOF		06/14/2024	07/01/2024	3,259.00
101-463.000-979.000	CAPITAL OUTLAY			57.00
450-536.000-806.000	CONTRACTUAL ENGINEERING			3,202.00
82533				
48660 PREIN & NEWHOF		06/14/2024	07/01/2024	97.00
101-463.000-979.000	CAPITAL OUTLAY			97.00
TIRE-48643				
48637 RELIABLE ROAD SERVICE, INC		06/18/2024	07/01/2024	639.62
660-903.000-930.004	VEHICLE MAINTENANCE & REPAIRS			639.62
6-21-24				
48604 GREG SALINAS		06/21/2024	07/01/2024	123.71
101-463.000-750.000	UNIFORMS			123.71
2400000538				
48615 SAUGATUCK TOWNSHIP		06/10/2024	07/01/2024	1,887.00
101-701.000-803.000	CONTRACTUAL CONSULTANT			1,887.00
24-0000672				

48612 SAUGATUCK TWP FIRE DISTRICT	06/14/2024	07/01/2024	250.00
101-701.000-802.000 CONTRACTUAL			250.00

14341			
48625 SCOTT'S LANDSCAPE MANAGMENT INC	06/18/2024	07/01/2024	75.00
594-597.001-930.000 REPAIRS & MAINTENANCE: GENERAL			75.00

14340			
48626 SCOTT'S LANDSCAPE MANAGMENT INC	06/18/2024	07/01/2024	365.34
101-265.000-802.000 CONTRACTUAL			365.34

14370			
48646 SCOTT'S LANDSCAPE MANAGMENT INC	06/26/2024	07/01/2024	1,049.99
660-903.000-930.004 VEHICLE MAINTENANCE & REPAIRS			1,049.99

2ND QTR24			
48702 NEAL SEABERT	06/30/2024	07/01/2024	350.00
101-101.000-703.000 WAGES			250.00
101-701.000-703.000 WAGES			100.00

5-2024			
48643 T-MOBILE USA	05/29/2024	07/01/2024	61.56
101-265.000-802.000 CONTRACTUAL			61.56

023709			
48652 TOP GRADE AGGREGATES-2013	06/08/2024	07/01/2024	85.77
101-751.000-930.000 REPAIRS & MAINTENANCE: GENERAL			85.77

023988			
48653 TOP GRADE AGGREGATES-2013	06/15/2024	07/01/2024	181.83
101-751.000-930.000 REPAIRS & MAINTENANCE: GENERAL			181.83

179428486			
48649 ULINE	06/14/2024	07/01/2024	851.02
203-463.000-930.000 REPAIRS & MAINTENANCE: GENERAL			851.02

2ND QTR24			
48703 RANDY WALKER	06/30/2024	07/01/2024	300.00
101-101.000-703.000 WAGES			300.00

BYR-1038010			
48638 WOLF KUBOTA	06/24/2024	07/01/2024	621.13
660-903.000-930.004 VEHICLE MAINTENANCE & REPAIRS			621.13

MEMBER SERVICE			
6-24			
48679 ADOBE ACROBAT PRO	06/14/2024	07/01/2024	299.93
101-172.000-740.000 SUPPLIES			46.49
101-215.000-740.000 SUPPLIES			137.97
101-701.000-740.000 SUPPLIES			68.99
101-463.000-740.000 SUPPLIES			46.48

3617103-1656248			
48667 AMAZON MARKETPLACE	05/24/2024	07/01/2024	(27.27)
101-257.000-740.000 SUPPLIES			(27.27)

1347363-4326637			
48673 AMAZON MARKETPLACE	05/24/2024	07/01/2024	36.50
101-802.000-958.000 MISCELLANEOUS			36.50

3-245720-496217			
48675 AMAZON MARKETPLACE	05/28/2024	07/01/2024	37.96
101-701.000-740.000 SUPPLIES			12.98
101-215.000-740.000 SUPPLIES			13.99

248-728.000-880.000	COMMUNITY PROMOTION			10.99
3278004-8052233				
48676	AMAZON MARKETPLACE	06/05/2024	07/01/2024	66.99
101-215.000-740.000	SUPPLIES			66.99
3866953-0140269				
48678	AMAZON MARKETPLACE	06/05/2024	07/01/2024	34.37
101-215.000-740.000	SUPPLIES			34.37
4391957-4844240				
48680	AMAZON MARKETPLACE	06/15/2024	07/01/2024	21.87
101-215.000-740.000	SUPPLIES			21.87
3130112-0915457				
48685	AMAZON MARKETPLACE	06/11/2024	07/01/2024	165.98
101-215.000-740.000	SUPPLIES			165.98
5-20-24				
48681	BACK ALLEY PIZZA	05/20/2024	07/01/2024	18.91
101-101.000-958.000	MISCELLANEOUS			18.91
6-3-24				
48682	BACK ALLEY PIZZA	06/03/2024	07/01/2024	49.41
101-101.000-958.000	MISCELLANEOUS			49.41
21				
48695	BACK ALLEY PIZZA	06/13/2024	07/01/2024	54.48
101-101.000-958.000	MISCELLANEOUS			54.48
643441				
48690	BADGE & WALLET	06/27/2024	07/01/2024	369.00
101-301.000-750.000	UNIFORMS			369.00
100121812				
48666	BIRD B GONE	06/13/2024	07/01/2024	270.68
594-597.000-820.000	MARINA OPERATIONS			270.68
703273				
48663	BLAIN'S FARM & FLEET	05/23/2024	07/01/2024	119.99
101-751.000-977.000	EQUIPMENT			119.99
2348				
48665	BLAIN'S FARM & FLEET	06/07/2024	07/01/2024	219.00
101-751.000-977.000	EQUIPMENT			219.00
LPET0108585R				
48691	HOLLAND SENTINEL	05/28/2024	07/01/2024	(127.50)
101-701.000-900.000	PRINTING & PUBLISHING			(127.50)
LPET0108574				
48692	HOLLAND SENTINEL	05/28/2024	07/01/2024	149.64
101-701.000-900.000	PRINTING & PUBLISHING			149.64
LPET0108585				
48693	HOLLAND SENTINEL	05/28/2024	07/01/2024	132.59
101-701.000-900.000	PRINTING & PUBLISHING			132.59
LPET0112409				
48694	HOLLAND SENTINEL	06/05/2024	07/01/2024	132.59
101-701.000-900.000	PRINTING & PUBLISHING			132.59
7462				
48674	HUNTREE NURSERY	05/30/2024	07/01/2024	134.35
248-728.000-880.000	COMMUNITY PROMOTION			134.35
6-4-24				

48683	LAKE VISTA SUPER VALU	06/04/2024	07/01/2024	22.38
	101-215.000-740.000 SUPPLIES			22.38

6-17-24				
48696	LAKE VISTA SUPER VALU	06/17/2024	07/01/2024	17.97
	101-101.000-958.000 MISCELLANEOUS			17.97

10649				
48688	NOTARIES.COM	05/29/2024	07/01/2024	42.95
	101-301.000-740.000 SUPPLIES			42.95

5952-186841				
48664	O'REILLY	05/31/2024	07/01/2024	6.99
	660-903.000-930.004 VEHICLE MAINTENANCE & REPAIRS			6.99

3472				
48670	PAYPAL	05/22/2024	07/01/2024	125.00
	248-728.000-908.000 DUES/FEES/PUBLICATIONS			125.00

5-20-24				
48661	RIGHT ROPE	05/20/2024	07/01/2024	1,092.50
	101-751.000-930.000 REPAIRS & MAINTENANCE: GENERAL			1,092.50

424807				
48662	RIGHT ROPE	05/20/2024	07/01/2024	192.88
	101-751.000-977.000 EQUIPMENT			49.99
	101-751.000-930.000 REPAIRS & MAINTENANCE: GENERAL			142.89

12672404R				
48668	SIGNS.COM	06/06/2024	07/01/2024	(6.22)
	594-597.000-820.000 MARINA OPERATIONS			(6.22)

12622274R				
48669	SIGNS.COM	05/24/2024	07/01/2024	(12.62)
	101-802.000-958.000 MISCELLANEOUS			(12.62)

12622274				
48671	SIGNS.COM	05/24/2024	07/01/2024	223.01
	101-802.000-958.000 MISCELLANEOUS			223.01

12672404				
48677	SIGNS.COM	06/06/2024	07/01/2024	109.87
	594-597.000-820.000 MARINA OPERATIONS			109.87

12693286				
48684	SIGNS.COM	06/11/2024	07/01/2024	211.94
	101-265.000-740.000 SUPPLIES			211.94

267				
48686	US POSTAL SERVICE	05/31/2024	07/01/2024	5.80
	101-301.000-740.000 SUPPLIES			5.80

183				
48687	US POSTAL SERVICE	05/24/2024	07/01/2024	5.80
	101-301.000-740.000 SUPPLIES			5.80

SO364279				
48689	VISTA OUTDOOR OPERATIONS	06/04/2024	07/01/2024	115.46
	101-301.000-750.000 UNIFORMS			115.46

INV262145725				
48672	ZOOM VIDEO COMMUNICATIONS, INC	06/24/2024	07/01/2024	29.98
	101-101.000-958.000 MISCELLANEOUS			29.98

MEMBER SERVICE				4,343.16
# of Invoices:	131 # Due: 131 Totals:			93,071.53

of Credit Memos: 8 # Due: 8 Totals:
 Net of Invoices and Credit Memos:

(460.35)

 92,611.18

 --- TOTALS BY FUND ---

101 - GENERAL FUND	42,518.26
202 - MAJOR STREET FUND	361.93
203 - LOCAL STREETS FUND	1,212.96
213 - SCHULTZ PARK LAUNCH RAMP	62.44
248 - DOWNTOWN DEVELOPMENT AUTHORITY	270.34
450 - WATER SEWER FUND	12,385.68
594 - DOUGLAS MARINA	32,991.71
660 - EQUIPMENT RENTAL FUND	2,807.86

--- TOTALS BY DEPT/ACTIVITY ---

000.000 -	477.37
101.000 - LEGISLATIVE	3,181.75
172.000 - MANAGER	46.49
215.000 - CLERK/TREASURER	12,848.67
257.000 - ASSESSING	(27.27)
265.000 - BUILDING & GROUNDS	1,741.72
266.000 - ATTORNEY	3,461.00
301.000 - POLICE	2,273.45
463.000 - GENERAL STREETS & ROW	4,354.23
536.000 - WATER SYSTEM	12,008.31
597.000 - DOUGLAS MARINA	536.71
597.001 - WADES BAYOU	75.00
597.002 - DOUGLAS HARBOR AUTHORITY	32,380.00
701.000 - PLANNING & ZONING	9,263.79
728.000 - DOWNTOWN DEVELOPMENT AUTHORITY	270.34
751.000 - PARKS & RECREATION	6,602.43
753.000 - LAUNCH RAMPS	62.44
802.000 - COMMUNITY PROMOTIONS	246.89
903.000 - EQUIP. REPAIRS & MAINTENANCE	2,807.86

June 25, 2024

City Council
City of Village of Douglas

Re: Application by BDR, Inc. for Amendment to the Westshore PUD

Dear Members of the City Council:

We are homeowners residing at 749 Golfview Drive, 745 Golfview Drive, and 345 McVea Drive. We ask that this letter and accompanying materials be made part of the Agenda Packet for the City Council meeting scheduled for July 1, 2024. We understand that the Planning Commission has recommended to the City Council that BDR’s preliminary plan for the revised trail *not* include any private access to the trails.


We write to ask that the City Council consider this additional information in connection with its review of the Planning Commission’s recommendation. City Council may be aware that starting last year, BDR explored several options for a material amendment of the PUD layout that would include not only expanding the number of residences approved in 2012 but would also substantially change the residential layout by requiring primary access to McVea and Lakeshore Drives. Area residents vociferously object to any plan that would either increase the number of homes on the PUD or would deviate primary access onto McVea and Lakeshore Drives. While that proposed amendment to the PUD is not currently before the City Council, we think it is important for the City to hold BDR to its original proposal made to and approvals by the City in 2012. Therefore, we ask that the City Council consider the following information:

1. BDR’s 2012 conceptual drawing of its plans for a public trail. A copy of the 2012 conceptual drawing is attached. As can be seen, this conceptual drawing is very different from the proposal currently before the City Council. We believe BDR’s intent with its current proposed design would be for it to maximize the number of residences it intends to build, which is not keeping with the original intent of the PUD.
2. Letters from last summer submitted by roughly 150 residents in the surrounding area objecting to BDR’s request to relocate a main entrance to new residents on McVea or Lakeshore Drive. Approximately 100 letters are attached, and we understand that an additional 40 letters were submitted to the prior City Planner last year.

Respectfully,



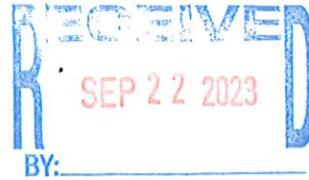
Tim Smith
749 Golfview



Mike Ger
345 McVea



Marc Newman
745 Golfview



Dear Planning Commission,

Regarding the amended proposal for the BDR/West Shore development plan phase 3, I urge the Planning Commission to **NOT APPROVE** this site plan.

A main entrance off McVea Drive and a secondary emergency entrance off Lakeshore would funnel years of construction traffic and permanent traffic from 22 additional homes onto Ferry, Campbell, McVea and Lakeshore Drive. Those four streets are simply not equipped for this. They already have very heavy pedestrian, bike and vehicular traffic, while lacking sufficient shoulders, bike paths or sidewalks.

I understand that the site plan approved in 2012 allows BDR to construct an entrance to its development from Center Street, although it now wants to abandon that access due to cost. I do not believe it is acceptable for the Planning Commission to approve a plan that will significantly increase traffic safety risks through existing neighborhoods in order to allow a developer to save money.

Douglas City Ordinance Article 27.04(6) notes that the density of homes permitted in an approved project "will not unreasonably affect" specific concerns including **road capacity, traffic and character of the area**. In addition to making it more dangerous for hundreds of residents and visitors who walk, hike, bike and drive these streets, the character of the neighborhoods feeding into McVea, Ferry, Lakeshore and Campbell streets would be negatively impacted by this proposed project.

Please include this letter as part of the agenda packet for the meeting where the BDR proposal will be considered. We appreciate your role in helping ensure the safety of our residents and the character of our neighborhoods.

Sincerely,

Charles F. Baker Jr. (signature)

Charles F Baker Jr. (printed name)

83 Lakeshore Dr (address)

Douglas, MI 49801 (address)

9/15/2023 (date)

Dear Planning Commission,

Regarding the amended proposal for the BDR/West Shore development plan phase 3, I urge the Planning Commission to **NOT APPROVE** this site plan.

A main entrance off McVea Drive and a secondary emergency entrance off Lakeshore would funnel years of construction traffic and permanent traffic from 22 additional homes onto Ferry, Campbell, McVea and Lakeshore Drive. Those four streets are simply not equipped for this. They already have very heavy pedestrian, bike and vehicular traffic, while lacking sufficient shoulders, bike paths or sidewalks.

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Please include this letter as part of the agenda packet for the meeting where the BDR proposal will be considered. We appreciate your role in helping ensure the safety of our residents and the character of our neighborhoods.

Sincerely,



(Signature)

Kevin L. Freeman

(Printed Name)

130 Lakeshore Dr.

(Address Line 1)

Douglas, MI 49406

(Address Line 2)

8/21/2023

(Date)

Dear Planning Commission,

Regarding the amended proposal for the BDR/West Shore development plan phase 3, I urge the Planning Commission to **NOT APPROVE** this site plan.

A main entrance off McVea Drive and a secondary emergency entrance off Lakeshore would funnel years of construction traffic and permanent traffic from 22 additional homes onto Ferry, Campbell, McVea and Lakeshore Drive. Those four streets are simply not equipped for this. They already have very heavy pedestrian, bike and vehicular traffic, while lacking sufficient shoulders, bike paths or sidewalks.

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Please include this letter as part of the agenda packet for the meeting where the BDR proposal will be considered. We appreciate your role in helping ensure the safety of our residents and the character of our neighborhoods.

Sincerely,

Tracey Shafroth

(Signature)

TRACEY SHAFROTH

(Printed Name)

271 WATER STREET

(Address Line 1)

DOUGLAS

(Address Line 2)

SEPTEMBER 5, 2023

(Date)



Dear Planning Commission,

Regarding the amended proposal for the BDR/West Shore development plan phase 3, I urge the Planning Commission to **NOT APPROVE** this site plan.

A main entrance off McVea Drive and a secondary emergency entrance off Lakeshore would funnel years of construction traffic and permanent traffic from 22 additional homes onto Ferry, Campbell, McVea and Lakeshore Drive. Those four streets are simply not equipped for this. They already have very heavy pedestrian, bike and vehicular traffic, while lacking sufficient shoulders, bike paths or sidewalks.

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Please include this letter as part of the agenda packet for the meeting where the BDR proposal will be considered. We appreciate your role in helping ensure the safety of our residents and the character of our neighborhoods.

Sincerely,

George R. Worthington

(Signature)

George R. Worthington

(Printed Name)

377 Lake Shore Dr

(Address Line 1)

Douglas, MI 49406

(Address Line 2)

8-21-2023

(Date)



Tom and Julie Hislop
 818 Golfview Drive
 Douglas, MI 40906

Douglas City Planning Commission

P.O. 75 Center St.

Douglas, Michigan 49406

Dear Planning Commission,

Regarding the amended proposal for the BDR/West Shore development plan phase 3, I urge the Planning Commission to NOT APPROVE this site plan.

A main entrance off McVea Drive and a secondary emergency entrance off Lakeshore would funnel years of construction traffic and permanent traffic from 22 additional homes onto already crowded Ferry St, Campbell Rd, McVea Drive and Lakeshore Drive. These four streets are already narrow and/or over-crowded and are simply not equipped for this. They already have very heavy pedestrian, bike and vehicular traffic, while lacking sufficient shoulders and no bike paths or sidewalks.

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Please include this letter as part of the agenda packet for the meeting where the BDR proposal will be considered. We appreciate your role in helping ensure the safety of our residents and the character of our neighborhoods.

Sincerely,

Julie Schultz Hislop

Julie Hislop
 818 Golfview Drive
 Douglas, MI 49406



Tom and Julie Hislop
818 Golfview Drive
Douglas, MI 40906

Douglas City Planning Commission
P.O. 75 Center St.
Douglas, Michigan 49406

Dear Planning Commission,

Regarding the amended proposal for the BDR/West Shore development plan phase 3, I urge the Planning Commission to NOT APPROVE this site plan.

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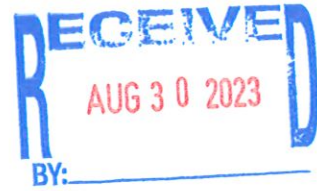
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Please include this letter as part of the agenda packet for the meeting where the BDR proposal will be considered. We appreciate your role in helping ensure the safety of our residents and the character of our neighborhoods.

Sincerely,

Tom Hislop
TOM HISLOP
818 Golfview DR
Douglas, MI 49406

August 23, 2023



Dear Planning Commission,

Regarding the amended proposal for the BDR/West Shore development plan phase 3, I urge the Planning Commission to **NOT APPROVE** this site plan.

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Please include this letter as part of the agenda packet for the meeting where the BDR proposal will be considered. We appreciate your role in helping ensure the safety of our residents and the character of our neighborhoods.

Sincerely,

Catherine G. Blagden

(Signature)

CATHERINE G. BLAGDEN

(Printed Name)

PO BOX 65

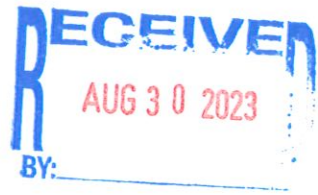
(Address Line 1)

304 McVea Dr., Douglas

(Address Line 2)

8.27.23

(Date)



Dear Planning Commission,

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Sincerely,

Martin Blagburn

(Signature)

Martin Blagburn

(Printed Name)

304 McVea Dr. (P.O. Box 65)

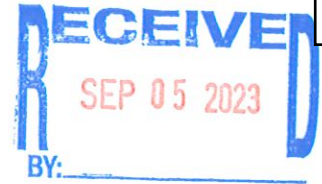
(Address Line 1)

Douglas, MI 49406

(Address Line 2)

8-27-23

(Date)



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Sincerely,

Marjorie G. Schum (signature)

Marjorie G. Schum (printed name)

204 Lakeshore (address)

----- (address)

9/2/2023 (date)



Dear Planning Commission,

Regarding the amended proposal for the BDR/West Shore development plan phase 3, I urge the Planning Commission to **NOT APPROVE** this site plan.

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Sincerely,

Betsy Scott (signature)

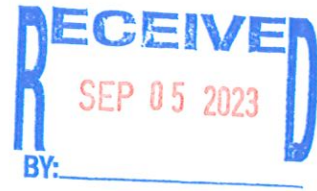
Betsy Scott (printed name)

361 Lakeshore Douglas (address)

8650 Delfor Cove (address)
Burr Ridge IL

8-30-23 (date)

Our cottage is
361 Lakeshore.
We also own the
property behind
us on McVea Rd.
It 344 McVea Rd.



Dear Planning Commission,

Regarding the amended proposal for the BDR/West Shore development plan phase 3, I urge the Planning Commission to **NOT APPROVE** this site plan.

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Please include this letter as part of the agenda packet for the meeting where the BDR proposal will be considered. We appreciate your role in helping ensure the safety of our residents and the character of our neighborhoods.

Sincerely,

Sara Ann Barilla
----- (signature)

SARA-ANN BARILLA
----- (printed name)

811 Center St.
----- (address)

Douglas
----- (address)

8/30/23
----- (date)

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Please include this letter as part of the agenda packet for the meeting where the BDR proposal will be considered. We appreciate your role in helping ensure the safety of our residents and the character of our neighborhoods.

Sincerely,

Janet A Lugers

(Signature)

JANET A LUGERS

(Printed Name)

288 McVEA DRIVE

(Address Line 1)

P.O. BOX 820, DOUGLAS

(Address Line 2)

AUGUST 21, 2023

(Date)

Duplicate

Dear Planning Commission,

Regarding the amended proposal for the BDR/West Shore development plan phase 3, I urge the Planning Commission to **NOT APPROVE** this site plan.

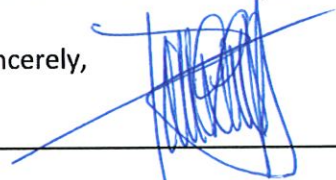
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Sincerely,



(Signature)

PAUL LEWER

(Printed Name)

707 GOLFVIEW DRIVE, DOUGLAS

(Address Line 1)

PO Box 728, DOUGLAS, MI 49406

(Address Line 2)

Aug 22, 2023

(Date)

Dear Planning Commission,

Regarding the amended proposal for the BDR/West Shore development plan phase 3, I urge the Planning Commission to **NOT APPROVE** this site plan.

A main entrance off McVea Drive and a secondary emergency entrance off Lakeshore would funnel years of construction traffic and permanent traffic from 22 additional homes onto Ferry, Campbell, McVea and Lakeshore Drive. Those four streets are simply not equipped for this. They already have very heavy pedestrian, bike and vehicular traffic, while lacking sufficient shoulders, bike paths or sidewalks.

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Sincerely,

Leanne Kathryn Lewer

(Signature)

LEANNE KATHRYN LEWER

(Printed Name)

707 Golfview Drive, Douglas, MI

(Address Line 1)

c/o PO Box 728, Douglas, MI

(Address Line 2)

August 22, 2023

(Date)

P.S. Increased traffic on Golfview Drive will also increase wear & tear on an already beat up, dead-end street.

Dear Planning Commission,

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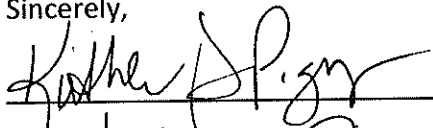
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Sincerely,



(Signature)

Kathleen Piggins

(Printed Name)

162 Wilderness Ridge Dr.

(Address Line 1)

Douglas

(Address Line 2)

11/13/23

(Date)

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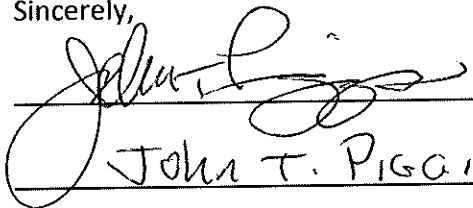
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Sincerely,



(Signature)

John T. PIGAINS

(Printed Name)

762 Wilderness Ridge Dr.

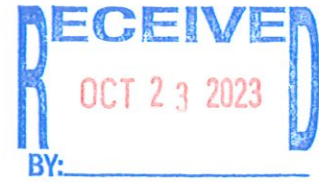
(Address Line 1)

Douglas MI

(Address Line 2)

11/13/23

(Date)



10/23/2023

Jenny Pearson
Tricia Anderson

Dear Jenny and Tricia,

Please find 102 signed letters opposing the BDR/West Shore development plan phase 3 from area residents, to be distributed to all Planning Commission members at the next meeting where the BDR plan will be discussed.

Thanks very much.

Timothy Smith
749 Golfview Drive
Douglas

Dear Planning Commission,

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Sincerely,

David Molenaar

(Signature)

David Molenaar

(Printed Name)

730 Golfview Drive

(Address Line 1)

Douglas, MI 49406

(Address Line 2)

9-5-23

(Date)

See Attached

There are currently 15 house / vacant lots on McVea Dr

There are currently 27 house / vacant lots on Golfview Dr

There is a proposal to have 22 house sites on the McVea extension.

Therefore, you have 64 house / lots that will access thru Mc Vea and out onto Campbell Rd or Lakeshore Drive.

If for what ever reason that Cambell Rd is closed on a holiday week-end, is Lakeshore Drive adequate for multiple emergency vehicles for a major disaster onto McVea and/or Golfview Dr? Having a 2nd entrance into the development off of Center Street is not an inconvenience but a safety issue.

Having McVea Dr being the sole entrance and exit with 64 potential homes is not adequate and was not designed for that amount of traffic.

Dear Planning Commission,

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Sincerely,

Amy Bauer

(Signature)

Amy Bauer / Michael Bauer

(Printed Name)

815 Campbell Rd.

(Address Line 1)

(Address Line 2)

8/21/23

(Date)

Campbell Road is already too busy w/cars & heavy machines, everyone speeds on this road. We do not want this development.

Thank you
Amy Bauer

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Sincerely,

Elizabeth Bako (signature)

Elizabeth Bako (printed name)

308 Lakeshore Dr (address)

Douglas, MI 49406 (address)

8/18/23 (date)

Dear Planning Commission,

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Sincerely,

Chris Baker (signature)

CHRIS BAKER (printed name)

383 LAKESHORE DR (address)

DOUGLAS, ME 49406 (address)

8/18/2023 (date)

Dear Planning Commission,

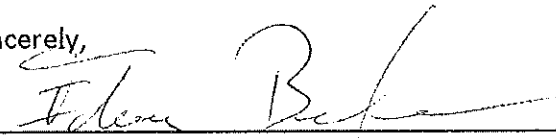
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Sincerely,


(Signature)

EDWARD BECKMAN

(Printed Name)

3041 LAKESHORE DR

(Address Line 1)

DOUGLAS, MI

(Address Line 2)

9/5/23

(Date)

To: Joe Blair / Douglas @ douglasmi.gov

Dear Planning Commission,

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A main entrance off McVea Drive and a secondary emergency entrance off Lakeshore would funnel years of construction traffic and permanent traffic from 22 additional homes onto Ferry, Campbell, McVea and Lakeshore Drive. Those four streets are simply not equipped for this. They already have very heavy pedestrian, bike and vehicular traffic, while lacking sufficient shoulders, bike paths or sidewalks.

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Douglas City Ordinance Article 27.04(6) notes that the density of homes permitted in an approved project *"will not unreasonably affect"* specific concerns including **road capacity, traffic and character of the area**. In addition to making it more dangerous for hundreds of residents and visitors who walk, hike, bike and drive these streets, the character of the neighborhoods feeding into McVea, Ferry, Lakeshore and Campbell streets would be negatively impacted by this proposed project.

Please include this letter as part of the agenda packet for the meeting where the BDR proposal will be considered. We appreciate your role in helping ensure the safety of our residents and the character of our neighborhoods.

Sincerely,

Mark Bekken & Pati Bekken

(Signature)

Mark Bekken & Pati Bekken

(Printed Name)

584 Campbell Rd

(Address Line 1)

Saugatuck, MI 49453

(Address Line 2)

8/23/23

(Date)

Dear Planning Commission,

Regarding the amended proposal for the BDR/West Shore development plan phase 3, I urge the Planning Commission to **NOT APPROVE** this site plan.

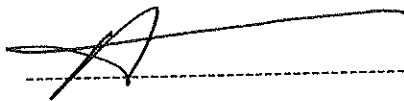
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Sincerely,


----- (signature)

David Bernat
----- (printed name)

453 Summer Grove Dr.
----- (address)

Douglas, MI 49406
----- (address)

8-28-23
----- (date)

Dear Planning Commission,

Regarding the amended proposal for the BDR/West Shore development plan phase 3, I urge the Planning Commission to **NOT APPROVE** this site plan.

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Please include this letter as part of the agenda packet for the meeting where the BDR proposal will be considered. We appreciate your role in helping ensure the safety of our residents and the character of our neighborhoods.

Sincerely,

Catherine G. Blagden

(Signature)

CATHERINE G. BLAGDEN

(Printed Name)

PO Box 605 McVea Dr

(Address Line 1)

Douglas, MI 49406

(Address Line 2)

10.2.13

(Date)

Dear Planning Commission,

Regarding the amended proposal for the BDR/West Shore development plan phase 3, I urge the Planning Commission to **NOT APPROVE** this site plan.

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Sincerely,

Martin Blagburn

(Signature)

Martin Blagburn

(Printed Name)

304 McVea Dr.

(Address Line 1)

Douglas, MI 49406

(Address Line 2)

10 - 2 - 23

(Date)

Dear Planning Commission,

Regarding the amended proposal for the BDR/West Shore development plan phase 3, I urge the Planning Commission to **NOT APPROVE** this site plan.

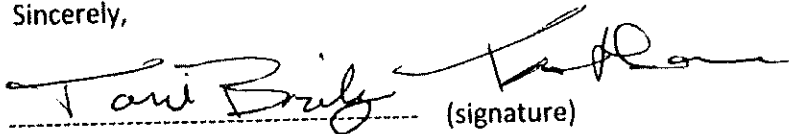
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Please include this letter as part of the agenda packet for the meeting where the BDR proposal will be considered. We appreciate your role in helping ensure the safety of our residents and the character of our neighborhoods.

Sincerely,


----- (signature)

Toni BRITZ + TARA HOGAN
----- (printed name)

99 LAKESHORE DR
----- (address)

Douglas, MI
----- (address)

8-18-23
----- (date)

Dear Planning Commission,

Regarding the amended proposal for the BDR/West Shore development plan phase 3, I urge the Planning Commission to **NOT APPROVE** this site plan.

A main entrance off McVea Drive and a secondary emergency entrance off Lakeshore would funnel years of construction traffic and permanent traffic from 22 additional homes onto Ferry, Campbell, McVea and Lakeshore Drive. Those four streets are simply not equipped for this. They already have very heavy pedestrian, bike and vehicular traffic, while lacking sufficient shoulders, bike paths or sidewalks.

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Please include this letter as part of the agenda packet for the meeting where the BDR proposal will be considered. We appreciate your role in helping ensure the safety of our residents and the character of our neighborhoods.

Sincerely,



(Signature)

KENNETH W CLARK

(Printed Name)

332 Lakeshore Drive

(Address Line 1)

Douglas MI 49406

(Address Line 2)

24 AUGUST 2023

(Date)

Dear Planning Commission,

Regarding the amended proposal for the BDR/West Shore development plan phase 3, I urge the Planning Commission to **NOT APPROVE** this site plan.

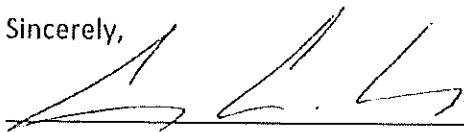
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Please include this letter as part of the agenda packet for the meeting where the BDR proposal will be considered. We appreciate your role in helping ensure the safety of our residents and the character of our neighborhoods.

Sincerely,



(Signature)

Amy Corday

(Printed Name)

301 McVea Dr.

(Address Line 1)

Douglas, MI

(Address Line 2)

Aug 26, 2023

(Date)

Anne Corlett
167 Lake Shore Drive
Douglas, MI 49406
616-283-2149

September 25, 2023

Douglas Planning Commission

Dear Planning Commission Members,

Regarding the amended proposal for the BDR/West Shore development plan phase 3, I urge the Planning Commission to *not approve* this site plan. A main entrance off McVea Drive and a secondary emergency entrance off Lakeshore Drive would funnel years of construction traffic and permanent traffic from 22 additional homes onto Ferry, Campbell, McVea and Lakeshore Drive. Those four streets are simply not equipped for this. They already have very heavy pedestrian, bike and vehicular traffic, while lacking sufficient shoulders, bike paths or sidewalks.

I understand that the original site plan, approved in 2012, allows the BDR to construct an entrance to its development from Center Street, and that now BDR wants to abandon that access point due to cost. I do not believe it is acceptable for the Planning Commission to approve a plan, that will significantly increase traffic safety risks through existing neighborhoods, in order to save the developer money.

Additionally, as a fourth-generation owner of Lake Shore Drive property, and as an artist, I understand that development is inevitable but I believe that *thoughtful* development, that does not impact the beauty of our area, is essential. Please stand with all of your Douglas neighbors to help the BDR development occur with minimal impact.

Many thanks,

Anne Corlett

Dear Planning Commission,

Regarding the amended proposal for the BDR/West Shore development plan phase 3, I urge the Planning Commission to **NOT APPROVE** this site plan.

A main entrance off McVea Drive and a secondary emergency entrance off Lakeshore would funnel years of construction traffic and permanent traffic from 22 additional homes onto Ferry, Campbell, McVea and Lakeshore Drive. Those four streets are simply not equipped for this. They already have very heavy pedestrian, bike and vehicular traffic, while lacking sufficient shoulders, bike paths or sidewalks.

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Please include this letter as part of the agenda packet for the meeting where the BDR proposal will be considered. We appreciate your role in helping ensure the safety of our residents and the character of our neighborhoods.

Sincerely,

John Grandell (signature)

John Grandell (printed name)

225 Lakeshore (address)

Douglas, MT (address)

8/18/23 (date)

Dear Planning Commission,

Regarding the amended proposal for the BDR/West Shore development plan phase 3, I urge the Planning Commission to **NOT APPROVE** this site plan.

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Please include this letter as part of the agenda packet for the meeting where the BDR proposal will be considered. We appreciate your role in helping ensure the safety of our residents and the character of our neighborhoods.

Sincerely,

Pia G. Crandell (signature)

Pia G. Crandell (printed name)

225 Lakeshore Dr. (address)

Douglas, MI (address)

8/18/23 (date)

Dear Planning Commission,


Regarding the amended proposal for the BDR/West Shore development plan phase 3, I urge the Planning Commission to **NOT APPROVE** this site plan.

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Sincerely,

----- (signature)

Kerry Cunnion
----- (printed name)

83 Lakeshore Dr
----- (address)

Douglas MI
----- (address)

8/18/23
----- (date)

Dear Planning Commission,

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Sincerely,

Jay Lewis (signature)

Tammy Cunnion (printed name)

83 Lakeshore Dr (address)

PO Box 1070 (address)

Douglas MI (date)

49406 8/18/23

Dear Planning Commission,

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Please include this letter as part of the agenda packet for the meeting where the BDR proposal will be considered. We appreciate your role in helping ensure the safety of our residents and the character of our neighborhoods.

Sincerely,

Anne P. Dooley (signature)

Anne C. Dooley (printed name)

711 Coltrane Drive (address)

PO Box 667, Douglas (address)

August 28, 2023 (date)

Planning Commission to NOT APPROVE this site plan.

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Please include this letter as part of the agenda packet for the meeting where the BDR proposal will be considered. We appreciate your role in helping ensure the safety of our residents and the character of our neighborhoods.

Sincerely,

Barry C. Eldridge

(Signature)

Barry C. Eldridge

(Printed Name)

321 Lakeshore Drive

(Address Line 1)

Douglas, MI 49406

(Address Line 2)

9/28/2023

(Date)

Dear Planning Commission,

Regarding the amended proposal for the BDR/West Shore development plan phase 3, I urge the Planning Commission to **NOT APPROVE** this site plan.

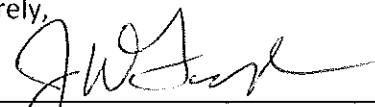
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Sincerely,



(Signature)

James Feesh

(Printed Name)

731 Goldview Pk.

(Address Line 1)

Douglas Mi

(Address Line 2)

9/15/23

(Date)

Dear Planning Commission,

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Please include this letter as part of the agenda packet for the meeting where the BDR proposal will be considered. We appreciate your role in helping ensure the safety of our residents and the character of our neighborhoods.

Sincerely,

Al Fisher (signature)

Anne Fisher (printed name)

343 Lakeshore Dr (address)

Douglas MI 49406 (address)

9/5/23 (date)

Dear Planning Commission,

Regarding the amended proposal for the BDR/West Shore development plan phase 3, I urge the Planning Commission to **NOT APPROVE** this site plan.

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Sincerely,

Michael Flynn

(Signature)

MICHAEL FLYNN

(Printed Name)

43 LAKESHORE DR.

(Address Line 1)

Douglas MI 49406

(Address Line 2)

8/24/23

(Date)

Dear Planning Commission,

Regarding the amended proposal for the BDR/West Shore development plan phase 3, I urge the Planning Commission to NOT APPROVE this site plan.

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Sincerely,

Catherine Frecker

(Signature)

Catherine Frecker

(Printed Name)

53 Randolph St, Douglas

(Address Line 1)

167 Lake Shore Dr, Douglas, MI

(Address Line 2)

8/23/23

(Date)

Dear Planning Commission,

Regarding the amended proposal for the BDR/West Shore development plan phase 3, I urge the Planning Commission to **NOT APPROVE** this site plan.

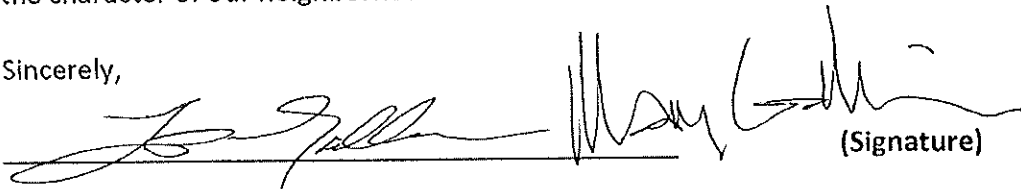
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Sincerely,



(Signature)

LYLE + MARY GALLIVAN

(Printed Name)

298 McVEA

(Address Line 1)

DOUGLAS, MI

(Address Line 2)

8-22-23

(Date)

Dear Planning Commission,

Regarding the amended proposal for the BDR/West Shore development plan phase 3, I urge the Planning Commission to **NOT APPROVE** this site plan.

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Please include this letter as part of the agenda packet for the meeting where the BDR proposal will be considered. We appreciate your role in helping ensure the safety of our residents and the character of our neighborhoods.

Sincerely,

Scott R Garberding (signature)

SCOTT R GARBERDING (printed name)

156 LAKESHORE (address)

DOUGLAS, MI (address)

8/16/23 (date)

Dear Planning Commission,

Regarding the amended proposal for the BDR/West Shore development plan phase 3, I urge the Planning Commission to **NOT APPROVE** this site plan.

A main entrance off McVea Drive and a secondary emergency entrance off Lakeshore would funnel years of construction traffic and permanent traffic from 22 additional homes onto Ferry, Campbell, McVea and Lakeshore Drive. Those four streets are simply not equipped for this. They already have very heavy pedestrian, bike and vehicular traffic, while lacking sufficient shoulders, bike paths or sidewalks.

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Please include this letter as part of the agenda packet for the meeting where the BDR proposal will be considered. We appreciate your role in helping ensure the safety of our residents and the character of our neighborhoods.

Sincerely,

Richard L. Garesche Jr.

(Signature)

RICHARD L. GARESCHÉ JR.

(Printed Name)

274 LAKE SHORE DRIVE

(Address Line 1)

DOUGLAS MI 49406

(Address Line 2)

(Date)

Dear Planning Commission,

Regarding the amended proposal for the BDR/West Shore development plan phase 3, I urge the Planning Commission to **NOT APPROVE** this site plan.

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Please include this letter as part of the agenda packet for the meeting where the BDR proposal will be considered. We appreciate your role in helping ensure the safety of our residents and the character of our neighborhoods.

Sincerely,



(Signature)

Jacey & Steven Bursten

(Printed Name)

3081 Lakeshore Dr.

(Address Line 1)

Douglas MI 49406

(Address Line 2)

8/21/23

(Date)

Dear Planning Commission,

Regarding the amended proposal for the BDR/West Shore development plan phase 3, I urge the Planning Commission to **NOT APPROVE** this site plan.

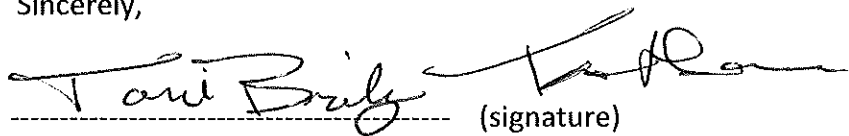
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Sincerely,


----- (signature)

Toni BRITZ + TARA HOGAN
----- (printed name)

99 LAKESHORE DR
----- (address)

DOUGLAS, MI
----- (address)

8-18-23
----- (date)

Dear Planning Commission,

Regarding the amended proposal for the BDR/West Shore development plan phase 3, I urge the Planning Commission to **NOT APPROVE** this site plan.

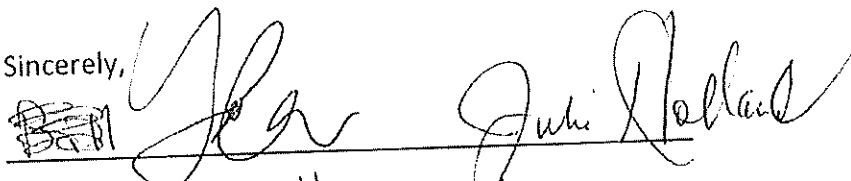
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Sincerely,



(Signature)

Bill & Julie Holland

(Printed Name)

274 LAKESHORE DRIVE

(Address Line 1)

Douglas, MI

(Address Line 2)

9/29/23

(Date)

Dear Planning Commission,

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Sincerely,

Ann Horton

(Signature)

Ann Horton

(Printed Name)

137 Harbor Ct

(Address Line 1)

Douglas, MT

(Address Line 2)

08-23-23

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Regarding the amended proposal for the BDR/West Shore development plan phase 3, I urge the Planning Commission to **NOT APPROVE** this site plan.

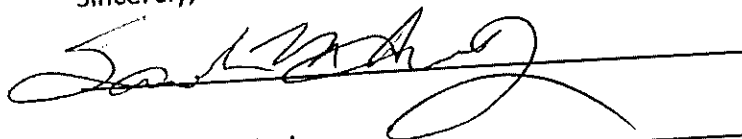
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Please include this letter as part of the agenda packet for the meeting where the BDR proposal will be considered. We appreciate your role in helping ensure the safety of our residents and the character of our neighborhoods.

Sincerely,



Sarah Maria Hurley

144 Lake Shore Drive, Douglas, MI 49406

9/6/23

(Signature)

(Printed Name)

(Address Line 1)

(Address Line 2)

(Date)

Dear Planning Commission,

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Sincerely,

Kimberly Kogley (signature)

Kimberly Kogley (printed name)

2969 Lakeshore (address)

Douglas, MI (address)

8-17-23 (date)

Dear Planning Commission,

Regarding the amended proposal for the BDR/West Shore development plan phase 3, I urge the Planning Commission to **NOT APPROVE** this site plan.

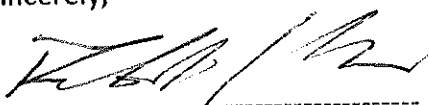
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Sincerely,


----- (signature)

Rob Kepley
----- (printed name)

8969 Lakeshore Dr
----- (address)

Ferrville, ME 49408
----- (address)

8-17-23
----- (date)

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Please include this letter as part of the agenda packet for the meeting where the BDR proposal will be considered. We appreciate your role in helping ensure the safety of our residents and the character of our neighborhoods.

Sincerely,

Juli Kennelly

(Signature)

Juli Kennelly

(Printed Name)

355 McVea

(Address Line 1)

Douglas, Michigan 49406

(Address Line 2)

August 26, 2023

(Date)

Dear Planning Commission,

Regarding the amended proposal for the BDR/West Shore development plan phase 3, I urge the Planning Commission to **NOT APPROVE** this site plan.

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Sincerely,



(Signature)

PATRICK J KENNELLY

(Printed Name)

355 McVEA DR

(Address Line 1)

DOUGLAS, MI 49406

(Address Line 2)

AUGUST 26 2023

(Date)

Dear Planning Commission,

Regarding the amended proposal for the BDR/West Shore development plan phase 3, I urge the Planning Commission to **NOT APPROVE** this site plan.

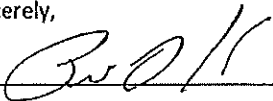
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Please include this letter as part of the agenda packet for the meeting where the BDR proposal will be considered. We appreciate your role in helping ensure the safety of our residents and the character of our neighborhoods.

Sincerely,



(Signature)

PETER J. KENNELLY

(Printed Name)

355 MCV EA

(Address Line 1)

DOUGLAS, MI

(Address Line 2)

8/29/2023

(Date)

Dear Planning Commission,

Regarding the amended proposal for the BDR/West Shore development plan phase 3, I urge the Planning Commission to **NOT APPROVE** this site plan.


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Sincerely,



Ryan Kennelly

365 McVea Drive

Douglas, MI 49406

08 / 30 / 2023

(Signature)

(Printed Name)

(Address Line 1)

(Address Line 2)

(Date)

Dear Planning Commission,

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Sincerely,

T. R. Kennell

(Signature)

Timothy R. Kennell

(Printed Name)

365 McVea Dr.

(Address Line 1)

Douglas, MI 49406

(Address Line 2)

08/31/2023

(Date)

Dear Planning Commission,


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Sincerely,


(Signature)

Adam Klingber

(Printed Name)

301 McVea, Douglas

(Address Line 1)

(Address Line 2)

Aug. 26, 2023

(Date)

Dear Planning Commission,

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Sincerely,

Mary Jean Leverone (signature)

Mary Jean Leverone (printed name)

2939 Lakeshore Dr. (address)

Douglas, MT (address)

8/18/23 (date)

Dear Planning Commission,

Regarding the amended proposal for the BDR/West Shore development plan phase 3, I urge the Planning Commission to **NOT APPROVE** this site plan.

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Sincerely,

David J. Logan

(Signature)

David J. Logan

(Printed Name)

Elizabeth A. Logan

811 Golfview

(Address Line 1)

Douglas, MI 49406

(Address Line 2)

8/22/23

(Date)

Dear Planning Commission,

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Sincerely,



(Signature)

Mark Macheca

(Printed Name)

247 Lakeshore Dr

(Address Line 1)

Douglas MI 49406

(Address Line 2)

8-28-23

(Date)

Dear Planning Commission,

Regarding the amended proposal for the BDR/West Shore development plan phase 3, I urge the Planning Commission to **NOT APPROVE** this site plan.

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Sincerely,



(Signature)

Susan M. Manchester

(Printed Name)

96 Chestnut Lane

(Address Line 1)

(Address Line 2)

08/27/2023

(Date)

Dear Planning Commission,

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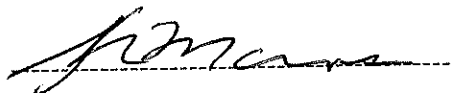
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Please include this letter as part of the agenda packet for the meeting where the BDR proposal will be considered. We appreciate your role in helping ensure the safety of our residents and the character of our neighborhoods.

Sincerely,

 (signature)

Steven C. Manns (printed name)

720 Golfview (address)

Douglas MI (address)
49406

8/19/23 (date)

Dear Planning Commission,

Regarding the amended proposal for the BDR/West Shore development plan phase 3, I urge the Planning Commission to **NOT APPROVE** this site plan.

A main entrance off McVea Drive and a secondary emergency entrance off Lakeshore would funnel years of construction traffic and permanent traffic from 22 additional homes onto Ferry, Campbell, McVea and Lakeshore Drive. Those four streets are simply not equipped for this. They already have very heavy pedestrian, bike and vehicular traffic, while lacking sufficient shoulders, bike paths or sidewalks.

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Sincerely,

SC Markham

(Signature)

Stephen C Markham

(Printed Name)

736 Goffview Dr

(Address Line 1)

(Address Line 2)

10/04/2023

(Date)

Dear Planning Commission,

Regarding the amended proposal for the BDR/West Shore development plan phase 3, I urge the Planning Commission to **NOT APPROVE** this site plan.

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Sincerely,

Charity L Nosse (signature)

Charity L Nosse (printed name)

719 Golfview Dr (address)

Douglas 49406 (address)

8/18/23 (date)

Dear Planning Commission,

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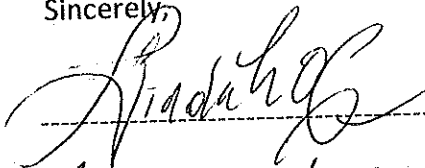
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Sincerely,

 (signature)

LINDA M O'CONNOR (printed name)

160 Keewatin Way #6 (address)

Douglas, MI 49406 (address)

8/18/23 (date)

Dear Planning Commission,

Regarding the amended proposal for the BDR/West Shore development plan phase 3, I urge the Planning Commission to **NOT APPROVE** this site plan.

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Sincerely,

Michael O'Connor (signature)

MICHAEL O'CONNOR (printed name)

20935 2nd St (address)

433 AMITY (address)

8-18-23 (date)

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Regarding the amended proposal for the BDR/West Shore development plan phase 3, I urge the Planning Commission to **NOT APPROVE** this site plan.

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Sincerely,

Carol R. Peshe (signature)

Carol Richards Peshe (printed name)

310 Lakeshore Dr (address)

Douglas, MI (address)

49404 (date)

8/18/23

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Sincerely,

Kristine Pukite

(Signature)

Kristine Pukite

(Printed Name)

294 McVea Drive,

(Address Line 1)

Douglas,

(Address Line 2)

August 22, 2023

(Date)

Dear Planning Commission,

Regarding the amended proposal for the BDR/West Shore development plan phase 3, I urge the Planning Commission to **NOT APPROVE** this site plan.

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Sincerely,

Elizabeth H. Ramson

(Signature)

ELIZABETH H. RAMSSON

(Printed Name)

part owner of:

(Address Line 1)

167, 175, 179, & 182 Lakeshore Dr.

(Address Line 2)

9/1/23 Douglas, MI 49406

(Date)

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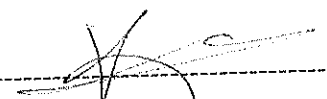
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Sincerely,

 (signature)

Pascale Remy (printed name)

700 Manchester Dr (address)

Saugatuck (address)

08/18/2023 (date)

Dear Planning Commission,

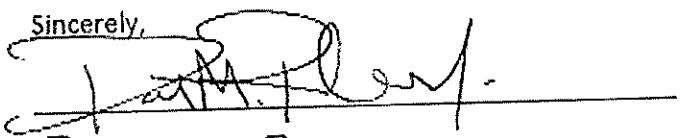
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Please include this letter as part of the agenda packet for the meeting where the BDR proposal will be considered. We appreciate your role in helping ensure the safety of our residents and the character of our neighborhoods.

Sincerely,


 Patrick M. Rodriguez Jr.

 278 Lakeshore Drive

 Douglas MI 49406

 Oct. 2 2023

(Signature)

(Printed Name)

(Address Line 1)

(Address Line 2)

(Date)

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Sincerely,



(Signature)

Frederick Eagle Royce III

(Printed Name)

144 Lake Shore Drive , Douglas, MI 49406

(Address Line 1)

(Address Line 2)

9/6/23

(Date)

8/24/23, 9:32 AM

Gmail - Fwd: letter to Planning.

Item 6A.



Michael Ger <michael.c.ger@gmail.com>

Fwd: letter to Planning.

1 message

Thu, Aug 24, 2023 at 7:39 AM

Dawn F. Schumann <dawn.schumann@gmail.com>
To: Michael Ger <michael.c.ger@gmail.com>


Begin forwarded message:

From: "Dawn F. Schumann" <dawn.schumann@gmail.com>
Subject: letter to Planning.
Date: August 24, 2023 at 10:34:02 AM EDT
To: Village of Douglas <lauriekellyesq@hotmail.com>

My name is Dawn Schumann. My home is at 296 Lakeshore Dr. As a former Planning Commission member, I totally endorse the points made in the petition below. We would never have allowed the horrific challenges to the residential neighborhoods to be under minded by the concern for the cost of entrance off Center Street. As for the lake shore route there are two issues to consider. That road is really the top of a dune. The vibration alone could undermine not just the road but the homes sitting on it. The second issue concerns ownership of the Wagner drive. If you check, I believe you will find that parts of it are owned by the Corlet family. If you choose to use eminent domain to acquire it, I strongly suspect you will face lengthy legal battles with the neighbors.

Thank you for considering my points.

Dawn Schumann

 Letter to Planning Commission.pdf
140K

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Please include this letter as part of the agenda packet for the meeting where the BDR proposal will be considered. We appreciate your role in helping ensure the safety of our residents and the character of our neighborhoods.

Sincerely,

Sharon Smith (signature)

SHARON SMITH (printed name)

749 Golfview Dr. (address)

P.O. Box 2712 (address)

8-28-23 (date)

Dear Planning Commission,

Regarding the amended proposal for the BDR/West Shore development plan phase 3, I urge the Planning Commission to **NOT APPROVE** this site plan.

A main entrance off McVea Drive and a secondary emergency entrance off Lakeshore would funnel years of construction traffic and permanent traffic from 22 additional homes onto Ferry, Campbell, McVea and Lakeshore Drive. Those four streets are simply not equipped for this. They already have very heavy pedestrian, bike and vehicular traffic, while lacking sufficient shoulders, bike paths or sidewalks.

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Sincerely,

Timothy Smith (signature)

Timothy Smith (printed name)

749 Golfview Dr. (address)

P.O. Box 2712 Douglas (address)

8/28/23 (date)

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Sincerely,

Dennis Sutton

(Signature)

Dennis Sutton

(Printed Name)

887 Golfview Dr.

(Address Line 1)

(Address Line 2)

10/4/23

(Date)

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Sincerely,

Elizabeth Clark Swank (signature)

ELIZABETH C. SWANK (printed name)

308-310 LAKESHORE (address)

DOUGLAS M 49406 (address)

8.18.23 (date)

Dear Planning Commission,

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Sincerely,



(Signature)

Charles D. LeFebvre

(Printed Name)

470 Park Street

(Address Line 1)

(Address Line 2)

8/23/23

(Date)

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Sincerely,



(Signature)

Kathy Way

(Printed Name)

295 McVea DR

(Address Line 1)

Douglas MI

(Address Line 2)

8/24/23

(Date)

Dear Planning Commission,

Regarding the amended proposal for the BDR/West Shore development plan phase 3, I urge the Planning Commission to **NOT APPROVE** this site plan.


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Sincerely,



(Signature)

Michael S. Wray

(Printed Name)

295 McVea Drive

(Address Line 1)

Douglas, MI.

(Address Line 2)

8/24/23

(Date)

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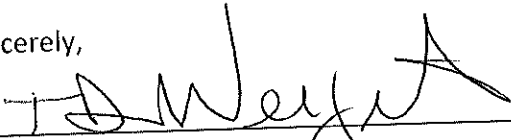
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Douglas City Ordinance Article 27.04(6) notes that the density of homes permitted in an approved project *"will not unreasonably affect"* specific concerns including **road capacity, traffic and character of the area**. In addition to making it more dangerous for hundreds of residents and visitors who walk, hike, bike and drive these streets, the character of the neighborhoods feeding into McVea, Ferry, Lakeshore and Campbell streets would be negatively impacted by this proposed project.

Please include this letter as part of the agenda packet for the meeting where the BDR proposal will be considered. We appreciate your role in helping ensure the safety of our residents and the character of our neighborhoods.

Sincerely,



(Signature)

Thomas D. Weiger

(Printed Name)

736 Golfview DR

(Address Line 1)

(Address Line 2)

10/04/2023

(Date)

Copy for file 8-21-2023

Mailed Mon Aug 21, 2023
City of Douglas
PO Box 757
86 W. Center St
Douglas, Mo 64406-0757

Dear Planning Commission,

Regarding the amended proposal for the BDR/West Shore development plan phase 3, I urge the Planning Commission to **NOT APPROVE** this site plan.

A main entrance off McVea Drive and a secondary emergency entrance off Lakeshore would funnel years of construction traffic and permanent traffic from 22 additional homes onto Ferry, Campbell, McVea and Lakeshore Drive. Those four streets are simply not equipped for this. They already have very heavy pedestrian, bike and vehicular traffic, while lacking sufficient shoulders, bike paths or sidewalks.

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Please include this letter as part of the agenda packet for the meeting where the BDR proposal will be considered. We appreciate your role in helping ensure the safety of our residents and the character of our neighborhoods.

Sincerely,

George R. Worthington

(Signature)

George R. Worthington

(Printed Name)

377 Lake Shore Dr

(Address Line 1)

Douglas, Mo 64406

(Address Line 2)

8/25/2023

(Date)

Winter address:
George R. Worthington
9 Rio Vista Dr
St. Charles, Mo 63303

Dear Planning Commission,

Regarding the amended proposal for the BDR/West Shore development plan phase 3, I urge the Planning Commission to **NOT APPROVE** this site plan.

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Please include this letter as part of the agenda packet for the meeting where the BDR proposal will be considered. We appreciate your role in helping ensure the safety of our residents and the character of our neighborhoods.

Sincerely,

Elizabeth Young (signature)

Elizabeth YOUNG (printed name)

343 Lakeshore Dr (address)

Douglas, MI 49406 (address)

Aug 29, 23 (date)

Dear Planning Commission,

Regarding the amended proposal for the BDR/West Shore development plan phase 3, I urge the Planning Commission to **NOT APPROVE** this site plan.

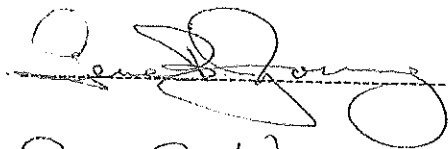
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Sincerely,

 (signature)

GENE B U
ULLMANN (printed name)

343 LAKESHORE (address)

----- (address)

8/29/23 (date)

Dear Planning Commission,

Regarding the amended proposal for the BDR/West Shore development plan phase 3, I urge the Planning Commission to **NOT APPROVE** this site plan.

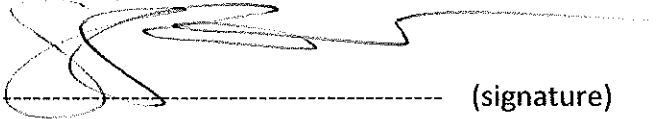
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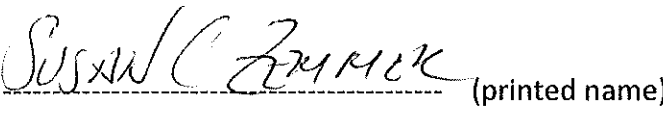
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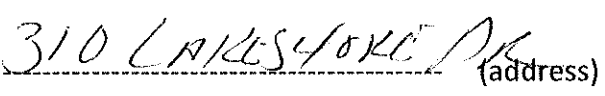
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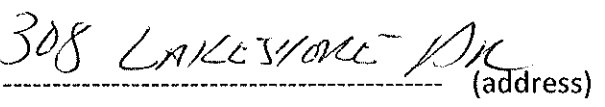
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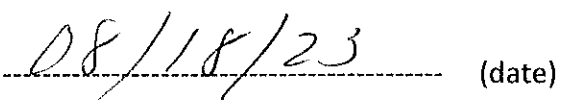
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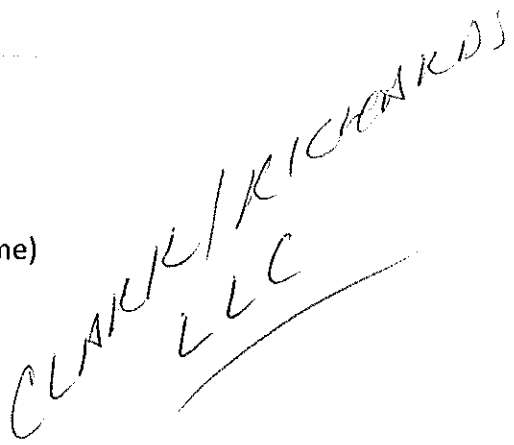

----- (signature)


----- (printed name)


----- (address)


----- (address)


----- (date)



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Sincerely,

 SKZ

(Signature)

 Ed WA/Z

(Printed Name)

 18 Park St

(Address Line 1)

 Bangor Mich

(Address Line 2)

 10/6/23

(Date)

Dear Planning Commission,

Regarding the amended proposal for the BDR/West Shore development plan phase 3, I urge the Planning Commission to **NOT APPROVE** this site plan.

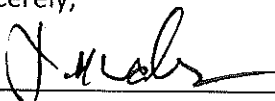
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Sincerely,



(Signature)

DARLENE WALZ

(Printed Name)

18 Park St.

(Address Line 1)

Saugatuck, MI

(Address Line 2)

10-6-23

(Date)

Dear Planning Commission,

Regarding the amended proposal for the BDR/West Shore development plan phase 3, I urge the Planning Commission to **NOT APPROVE** this site plan.

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Please include this letter as part of the agenda packet for the meeting where the BDR proposal will be considered. We appreciate your role in helping ensure the safety of our residents and the character of our neighborhoods.

Sincerely,



(Signature)

Judy Thiel

(Printed Name)

772 Manchester Dr

(Address Line 1)

Saugatuck, Mi 49453

(Address Line 2)

10-8-23

(Date)

Dear Planning Commission,

Regarding the amended proposal for the BDR/West Shore development plan phase 3, I urge the Planning Commission to **NOT APPROVE** this site plan.


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Sincerely,



(Signature)

ALBERT C. STUTSMAN JR

(Printed Name)

408 LAKESHORE DRIVE

(Address Line 1)

Box 454

(Address Line 2)

10/8/2023

(Date)

Dear Planning Commission,

Regarding the amended proposal for the BDR/West Shore development plan phase 3, I urge the Planning Commission to **NOT APPROVE** this site plan.

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Please include this letter as part of the agenda packet for the meeting where the BDR proposal will be considered. We appreciate your role in helping ensure the safety of our residents and the character of our neighborhoods.

Sincerely,

Deborah P. Stutsman

(Signature)

Deborah P. Stutsman (wife of Albert)

(Printed Name)

408 Lakeshore Drive P.O. Box 454

(Address Line 1)

Douglas, MI 49406

(Address Line 2)

10/8/2023

(Date)

Dear Planning Commission,

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Please include this letter as part of the agenda packet for the meeting where the BDR proposal will be considered. We appreciate your role in helping ensure the safety of our residents and the character of our neighborhoods.

Sincerely,

Brian Tubergen

(Signature)

Brian Tubergen

(Printed Name)

321 Lakeshore Drive

(Address Line 1)

Douglas, MI 49406

(Address Line 2)

10-4-23

(Date)

Dear Planning Commission,

Regarding the amended proposal for the BDR/West Shore development plan phase 3, I urge the Planning Commission to **NOT APPROVE** this site plan.

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Please include this letter as part of the agenda packet for the meeting where the BDR proposal will be considered. We appreciate your role in helping ensure the safety of our residents and the character of our neighborhoods.

Sincerely,

Lisa Morgan
LISA MORGAN

(Signature)

(Printed Name)

756 Manchester Dr.

(Address Line 1)

Saugatuck, MI 49453

(Address Line 2)

Oct. 14, 2023

(Date)

Dear Planning Commission,

Regarding the amended proposal for the BDR/West Shore development plan phase 3, I urge the Planning Commission to **NOT APPROVE** this site plan.

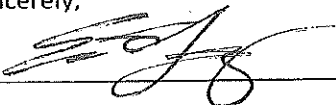
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Sincerely,



(Signature)

ERIC T. LANNING, SUITE 16 LLC

(Printed Name)

16 PARK ST.

(Address Line 1)

SANGATUCK MI 49453

(Address Line 2)

10/18/23

(Date)

They already have very heavy pedestrian, bike and vehicular traffic, while the shoulders, bike paths or sidewalks.

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Sincerely,

Margaret Boutin

(Signature)

MARGARET BOUTIN

(Printed)

653 CAMPBELL RD.

(Address)

P.O. BOX 2755 DOUGLAS

(Address)

11-6-23

(Date)



Planning Commission to NOT APPROVE this site plan.

A main entrance off McVea Drive and a secondary emergency entrance off funnel yards of construction traffic and permanent traffic from 22 addition Campbell, McVea and Lakeshore Drive. These four streets are simply not as they already have very heavy pedestrian, bike and vehicular traffic, white line shoulders, bike paths or sidewalks.

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Sincerely,

 (Signature)

ALLAN BOUTIN (Printed)

653 CAMPBELL RD (Address)

PO BOX DOUGLAS (Address)

11-6-23 (Date)



Dear Planning Commission,

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Sincerely,

Mary K Baker

(Signature)

Mary K. Baker

(Printed Name)

560 Shorewood Drive

(Address Line 1)

Saugatuck

(Address Line 2)

9/12/2023

(Date)

Dear Planning Commission,

Regarding the amended proposal for the BDR/West Shore development plan phase 3, I urge the Planning Commission to **NOT APPROVE** this site plan.

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Sincerely,

Susan Criezis

(Signature)

SUSAN CRIEZIS

(Printed Name)

53 LAKE SHORE DRIVE

(Address Line 1)

DOUGLAS, MI 49406

(Address Line 2)

OCT. 3, 2023

(Date)



Michael Ger <michael.c.ger@gmail.com>

Fwd: Development proposal

1 message



Marchiene Rienstra <marchiene@gmail.com>
To: Ger Michael <michael.c.ger@gmail.com>

Sat, Aug 26, 2023 at 2:23 PM

Here is a copy of the letter I sent which you asked for.

Begin forwarded message:

From: Marchiene Rienstra <marchiene@gmail.com>
Subject: Re: Development proposal
Date: August 22, 2023 at 3:24:22 PM EDT
To: Jennifer Pearson <Douglas@douglasmi.gov>

Thank you so much Jenny. We appreciate you   

Sent from the Vortex

On Aug 22, 2023, at 9:08 AM, Jennifer Pearson <Douglas@douglasmi.gov> wrote:

Good Morning Mr. and Mrs. Rienstra
I have received your comments/concerns and will include them on the Planning Commission agenda when the development is scheduled to be on it. So far they have not submitted the necessary paperwork for September so we anticipate October or later.
Thanks
Jenny

From: Marchiene Rienstra <marchiene@gmail.com>
Sent: Tuesday, August 22, 2023 9:50 AM
To: Jennifer Pearson <Douglas@douglasmi.gov>
Cc: Rich LaBombard <rlabombard@douglasmi.gov>
Subject: Development proposal

To Joe Blair and the Planning Commission,

My husband, Dr. John Rienstra, and I, who live at 66 Lakeshore Drive all year and have been good tax paying citizens for over 35 year, wish to register the strongest possible objection to the West Shore developer's recent proposal to build 22 homes on the west side of the property that used to be the old golf course. An official agreement was made in 2012 when this land was purchased that if any development were to occur, the entrance for construction work would need to be on Center Street near the present Wilderness Ridge community.

We and our neighbors are indignant and troubled that this recent request to change the original agreement would even be considered.

Do agreements mean nothing if a developer, for their own increased profit, wishes to change it, no matter the harm it does to the community and the environment? Surely our city government and its authorities are on the side of our welfare, not increased profits to a developer!

The meadow where they wish to build which now has a lovely and much appreciated PUD path through it, is one of the last remaining small parcels of undeveloped land which provides much needed habitat for wild life, and much needed beauty and well-being to those who live here and visit here. We strongly believe that preserving such space is necessary for all of our well-being. The developers need to look for a different space without the huge negative impact building where they propose would have on the human and natural community.

For example, if the deer that live in the meadow lose their habitat, they will be much more of a problem than they already are as they roam streets and yards eating whatever they can find and causing accidents on the roads as well.

Also, if there is so much increased traffic from construction vehicles on streets which are already over-crowded at least half the year, there are bound to be tragic accidents, angry tensions between people, cars, and trucks (which is already the case) and probable lawsuits down the road. Moreover, tourists do not come here to encounter more of the heavy traffic, noise, and busyness they are trying to get away from! They will go elsewhere in that case.

We urge you to reject this developer's proposal, including building 22!!! More houses on property which should remain open for public use and enjoyment. We know many many community members who agree with this.

Thank you in advance for your consideration.
Dr. John Rienstra and Rev. Marchiene Rienstra
66 Lakeshore Drive, Douglas MI

Dear Planning Commission,

Regarding the amended proposal for the BDR/West Shore development plan phase 3, I urge the Planning Commission to **NOT APPROVE** this site plan.

A main entrance off McVea Drive and a secondary emergency entrance off Lakeshore would funnel years of construction traffic and permanent traffic from 22 additional homes onto Ferry, Campbell, McVea and Lakeshore Drive. Those four streets are simply not equipped for this. They already have very heavy pedestrian, bike and vehicular traffic, while lacking sufficient shoulders, bike paths or sidewalks.

I understand that the site plan approved in 2012 allows BDR to construct an entrance to its development from Center Street, although it now wants to abandon that access due to cost. I do not believe it is acceptable for the Planning Commission to approve a plan that will **significantly increase traffic safety risks through existing neighborhoods** in order to allow a developer to save money.

Douglas City Ordinance Article 27.04(6) notes that the density of homes permitted in an approved project "*will not unreasonably affect*" specific concerns including **road capacity, traffic and character of the area**. In addition to making it more dangerous for hundreds of residents and visitors who walk, hike, bike and drive these streets, the character of the neighborhoods feeding into McVea, Ferry, Lakeshore and Campbell streets would be negatively impacted by this proposed project.

Please include this letter as part of the agenda packet for the meeting where the BDR proposal will be considered. We appreciate your role in helping ensure the safety of our residents and the character of our neighborhoods.

Sincerely,

David Dinh

(Signature)

David Dinh

(Printed Name)

345 McVea Drive

(Address Line 1)

Douglas, MI 49406

(Address Line 2)

8/25/2023

(Date)

To: Joe Blair , Planning and Zoning Administrator, City of Douglas
C: Jennifer Pearson

Dear Douglas Planning and Zoning Commission Members

Regarding the amended proposal for the BDR/Westshore development plan, phase 3, as a Douglas property owner and taxpayer, I urge the Planning Commission to DISAPPROVE this site plan.

A main entrance off McVea Drive, and a secondary emergency entrance off Lakeshore Drive would funnel years of construction and permanent traffic from 22 additional homes on to Ferry, Campbell, McVea and Lakeshore Drive. Those four streets are simply unable to handle this. These roads already have very heavy pedestrian, bicycle, and vehicular traffic, with non-existing shoulders, bike paths, or sidewalks.

I understand that the site plan approved in 2012 provides for BDR to construct an entrance to this development from Center Street, where there is a wide sidewalk/bike path. BDR now wants to abandon that allowed access solely due to cost. It is simply not acceptable for the Douglas Planning Commission to approve a plan that will **significantly increase traffic safety risks through existing neighborhoods** in order to allow a developer to save money.

Douglas City Ordinance, Article 27.04 (6) states that the density of homes permitted in an approved project "**will not unreasonably affect**" specific concerns, including **road capacity, traffic and character of the area**. In addition to creating a dangerous situation for the hundreds of residents who walk, hike, bike and drive these streets, the character of the neighborhoods feeding in to McVea, Ferry, Lakeshore and Campbell would be permanently negatively impacted by this proposed project that would save BDR money.

Please include this letter as part of the Agenda Packet for the meeting where the BDR proposal will be considered. I appreciate your important role in helping ensure the safety of all our residents, and in preserving the unique character of our neighborhoods.

Sincerely,

Heather H. Foderingham

Heather H. Foderingham
hfod@aol.com, 727-612-7276

897 Golfview Drive
Douglas, Michigan 49406

1538 Ridgewood Street
Clearwater, Florida 33755

Dear Planning Commission,

Regarding the amended proposal for the BDR/West Shore development plan phase 3, I urge the Planning Commission to **NOT APPROVE** this site plan.

A main entrance off McVea Drive and a secondary emergency entrance off Lakeshore would funnel years of construction traffic and permanent traffic from 22 additional homes onto Ferry, Campbell, McVea and Lakeshore Drive. Those four streets are simply not equipped for this. They already have very heavy pedestrian, bike and vehicular traffic, while lacking sufficient shoulders, bike paths or sidewalks.

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Please include this letter as part of the agenda packet for the meeting where the BDR proposal will be considered. We appreciate your role in helping ensure the safety of our residents and the character of our neighborhoods.

Sincerely,



(Signature)

Kevin L. Freeman

(Printed Name)

130 Lakeshore Dr.

(Address Line 1)

Douglas, MI 49406

(Address Line 2)

8/21/2023

(Date)

Dear Planning Commission,

Regarding the amended proposal for the BDR/West Shore development plan phase 3, I urge the Planning Commission to **NOT APPROVE** this site plan.

A main entrance off McVea Drive and a secondary emergency entrance off Lakeshore would funnel years of construction traffic and permanent traffic from 22 additional homes onto Ferry, Campbell, McVea and Lakeshore Drive. Those four streets are simply not equipped for this. They already have very heavy pedestrian, bike and vehicular traffic, while lacking sufficient shoulders, bike paths or sidewalks.

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Please include this letter as part of the agenda packet for the meeting where the BDR proposal will be considered. We appreciate your role in helping ensure the safety of our residents and the character of our neighborhoods.

Sincerely,

Christine C. Fuller

(Signature)

Christine C. Fuller

(Printed Name)

(winter) 11608 NW Wildwood Dr. Blue Springs, MO 64015

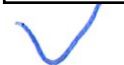
(Address Line 1)

(summer) 332 Lakeshore Dr. Douglas, MI 49406

(Address Line 2)

8-23-2023

(Date)



Dear Planning Commission,

Regarding the amended proposal for the BDR/West Shore development plan phase 3, I urge the Planning Commission to **NOT APPROVE** this site plan.

A main entrance off McVea Drive and a secondary emergency entrance off Lakeshore would funnel years of construction traffic and permanent traffic from 22 additional homes onto Ferry, Campbell, McVea and Lakeshore Drive. Those four streets are simply not equipped for this. They already have very heavy pedestrian, bike and vehicular traffic, while lacking sufficient shoulders, bike paths or sidewalks.

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Please include this letter as part of the agenda packet for the meeting where the BDR proposal will be considered. We appreciate your role in helping ensure the safety of our residents and the character of our neighborhoods.

Sincerely,



(Signature)

MICHAEL GER

(Printed Name)

345 McVEA

(Address Line 1)

(Address Line 2)

8/23/2023

(Date)



Dear Planning Commission,

Regarding the amended proposal for the BDR/West Shore development plan phase 3, I urge the Planning Commission to **NOT APPROVE** this site plan.

A main entrance off McVea Drive and a secondary emergency entrance off Lakeshore would funnel years of construction traffic and permanent traffic from 22 additional homes onto Ferry, Campbell, McVea and Lakeshore Drive. Those four streets are simply not equipped for this. They already have very heavy pedestrian, bike and vehicular traffic, while lacking sufficient shoulders, bike paths or sidewalks.

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Please include this letter as part of the agenda packet for the meeting where the BDR proposal will be considered. We appreciate your role in helping ensure the safety of our residents and the character of our neighborhoods.

Sincerely,

Gail C. Gile

(Signature)

Gail C. Gile

(Printed Name)

175 Lakeshore Dr.

(Address Line 1)

Douglas MT 49406

(Address Line 2)

9/28/2023

(Date)

Tom and Julie Hislop
818 Golfview Drive
Douglas, MI 40906

Douglas City Planning Commission
P.O. 75 Center St.
Douglas, Michigan 49406

Dear Planning Commission,

Regarding the amended proposal for the BDR/West Shore development plan phase 3, I urge the Planning Commission to NOT APPROVE this site plan.

A main entrance off McVea Drive and a secondary emergency entrance off Lakeshore would funnel years of construction traffic and permanent traffic from 22 additional homes onto already crowded Ferry St, Campbell Rd, McVea Drive and Lakeshore Drive. These four streets are already narrow and/or over-crowded and are simply not equipped for this. They already have very heavy pedestrian, bike and vehicular traffic, while lacking sufficient shoulders and no bike paths or sidewalks.

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Please include this letter as part of the agenda packet for the meeting where the BDR proposal will be considered. We appreciate your role in helping ensure the safety of our residents and the character of our neighborhoods.

Sincerely,

Julie Schultz Hislop

Julie S Hislop
818 Golfview Drive
Douglas, MI 49406
August 23, 2023

Tom and Julie Hislop
818 Golfview Drive
Douglas, MI 40906

Douglas City Planning Commission

P.O. 75 Center St.

Douglas, Michigan 49406

Dear Planning Commission,

Regarding the amended proposal for the BDR/West Shore development plan phase 3, I urge the Planning Commission to NOT APPROVE this site plan.

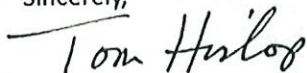
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Sincerely,



Tom Hislop
818 Golfview Dr
Douglas, MI 49406
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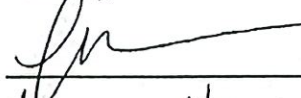
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Please include this letter as part of the agenda packet for the meeting where the BDR proposal will be considered. We appreciate your role in helping ensure the safety of our residents and the character of our neighborhoods.

Sincerely,



(Signature)

Lamm Howrey

(Printed Name)

280 Lakeshore Dr.

(Address Line 1)

Douglas, MI 49406

(Address Line 2)

9/4/23

(Date)



Dear Planning Commission,

Regarding the amended proposal for the BDR/West Shore development plan phase 3, I urge the Planning Commission to **NOT APPROVE** this site plan.

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Please include this letter as part of the agenda packet for the meeting where the BDR proposal will be considered. We appreciate your role in helping ensure the safety of our residents and the character of our neighborhoods.

Sincerely,

George P. Judd

(Signature)

GEORGE P. JUDD

(Printed Name)

3073 LAKE SHORE DR

(Address Line 1)

DOUGLAS, MI 49406

(Address Line 2)

8/22/23

(Date)

Dear Planning Commission,

Regarding the amended proposal for the BDR/West Shore development plan phase 3, I urge the Planning Commission to **NOT APPROVE** this site plan.

A main entrance off McVea Drive and a secondary emergency entrance off Lakeshore would funnel years of construction traffic and permanent traffic from 22 additional homes onto Ferry, Campbell, McVea and Lakeshore Drive. Those four streets are simply not equipped for this. They already have very heavy pedestrian, bike and vehicular traffic, while lacking sufficient shoulders, bike paths or sidewalks.

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Please include this letter as part of the agenda packet for the meeting where the BDR proposal will be considered. We appreciate your role in helping ensure the safety of our residents and the character of our neighborhoods.

Sincerely,

Sally Studd

(Signature)

SALLY S. JUDD

(Printed Name)

3073 Lakeshore Dr.

(Address Line 1)

Douglas, MI 49406

(Address Line 2)

8.22.23

(Date)



Dear Planning Commission,

Regarding the amended proposal for the BDR/West Shore development plan phase 3, I urge the Planning Commission to **NOT APPROVE** this site plan.

A main entrance off McVea Drive and a secondary emergency entrance off Lakeshore would funnel years of construction traffic and permanent traffic from 22 additional homes onto Ferry, Campbell, McVea and Lakeshore Drive. Those four streets are simply not equipped for this. They already have very heavy pedestrian, bike and vehicular traffic, while lacking sufficient shoulders, bike paths or sidewalks.

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Please include this letter as part of the agenda packet for the meeting where the BDR proposal will be considered. We appreciate your role in helping ensure the safety of our residents and the character of our neighborhoods.

Sincerely,

Phyllis V. Kusick

(Signature)

Phyllis V. Kusick

(Printed Name)

282 Lakeshore

(Address Line 1)

Douglas, Mi

(Address Line 2)

8/22/2023

(Date)

Dear Planning Commission,

Regarding the amended proposal for the BDR/West Shore development plan phase 3, I urge the Planning Commission to **NOT APPROVE** this site plan.

A main entrance off McVea Drive and a secondary emergency entrance off Lakeshore would funnel years of construction traffic and permanent traffic from 22 additional homes onto Ferry, Campbell, McVea and Lakeshore Drive. Those four streets are simply not equipped for this. They already have very heavy pedestrian, bike and vehicular traffic, while lacking sufficient shoulders, bike paths or sidewalks.

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Please include this letter as part of the agenda packet for the meeting where the BDR proposal will be considered. We appreciate your role in helping ensure the safety of our residents and the character of our neighborhoods.

Sincerely,

Janet A. Lagers

(Signature)

JANET A LAGERS

(Printed Name)

288 McVEA DRIVE

(Address Line 1)

P.O. BOX 820, DOUGLAS

(Address Line 2)

AUGUST 21, 2023

(Date)

Dear Planning Commission,

Regarding the amended proposal for the BDR/West Shore development plan phase 3, I urge the Planning Commission to **NOT APPROVE** this site plan.

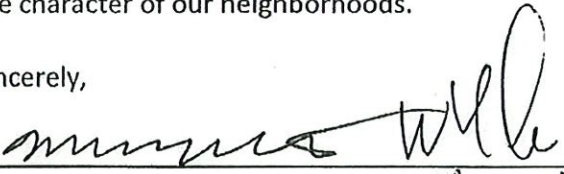
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Please include this letter as part of the agenda packet for the meeting where the BDR proposal will be considered. We appreciate your role in helping ensure the safety of our residents and the character of our neighborhoods.

Sincerely,


Margaret O. Luth *W¹⁹.L.LUTH*

(Signature)

(Printed Name)

265 Lakeshore Drive

(Address Line 1)

Douglas, MI 49406

(Address Line 2)

September 1, 2023

(Date)



Dear Planning Commission,

Regarding the amended proposal for the BDR/West Shore development plan phase 3, I urge the Planning Commission to **NOT APPROVE** this site plan.

A main entrance off McVea Drive and a secondary emergency entrance off Lakeshore would funnel years of construction traffic and permanent traffic from 22 additional homes onto Ferry, Campbell, McVea and Lakeshore Drive. Those four streets are simply not equipped for this. They already have very heavy pedestrian, bike and vehicular traffic, while lacking sufficient shoulders, bike paths or sidewalks.

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Please include this letter as part of the agenda packet for the meeting where the BDR proposal will be considered. We appreciate your role in helping ensure the safety of our residents and the character of our neighborhoods.

Sincerely,

Carla Sutton (Signature)

Carla Sutton (Printed Name)

887 Golfview Dr, Douglas (Address Line 1)

MI 49406 (Address Line 2)

August 23, 2023 (Date)

Dear Planning Commission,

Regarding the amended proposal for the BDR/West Shore development plan phase 3, I urge the Planning Commission to **NOT APPROVE** this site plan.

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Sincerely,

Eliz Thiele

(Signature)

Elizabeth Thiele

(Printed Name)

254 Lake Shore Drive

(Address Line 1)

Douglas, MI 49406

(Address Line 2)

8/23/23

(Date)

Dear Planning Commission,

Regarding the amended proposal for the BDR/West Shore development plan phase 3, I urge the Planning Commission to **NOT APPROVE** this site plan.

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Sincerely,

Susan A. Blair

(Signature)

Susan BLAIR

(Printed Name)

874 Campbell Rd

(Address Line 1)

Saugatuck, MI 49453

(Address Line 2)

10-13-23

(Date)



Dear Planning Commission,

Regarding the amended proposal for the BDR/West Shore development plan phase 3, I urge the Planning Commission to **NOT APPROVE** this site plan.

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Sincerely,

Susan Criezis

(Signature)

SUSAN CRIEZIS

(Printed Name)

53 LAKE SHORE DRIVE

(Address Line 1)

DOUGLAS, MI 49406

(Address Line 2)

OCT. 3, 2023

(Date)

Dear Planning Commission,

Regarding the amended proposal for the BDR/West Shore development plan phase 3, I urge the Planning Commission to **NOT APPROVE** this site plan.

A main entrance off McVea Drive and a secondary emergency entrance off Lakeshore would funnel years of construction traffic and permanent traffic from 22 additional homes onto Ferry, Campbell, McVea and Lakeshore Drive. Those four streets are simply not equipped for this. They already have very heavy pedestrian, bike and vehicular traffic, while lacking sufficient shoulders, bike paths or sidewalks.

I understand that the site plan approved in 2012 allows BDR to construct an entrance to its development from Center Street, although it now wants to abandon that access due to cost. I do not believe it is acceptable for the Planning Commission to approve a plan that will significantly increase traffic safety risks through existing neighborhoods in order to allow a developer to save money.

Douglas City Ordinance Article 27.04(6) notes that the density of homes permitted in an approved project *"will not unreasonably affect"* specific concerns including **road capacity, traffic and character of the area**. In addition to making it more dangerous for hundreds of residents and visitors who walk, hike, bike and drive these streets, the character of the neighborhoods feeding into McVea, Ferry, Lakeshore and Campbell streets would be negatively impacted by this proposed project.

Please include this letter as part of the agenda packet for the meeting where the BDR proposal will be considered. We appreciate your role in helping ensure the safety of our residents and the character of our neighborhoods.

Sincerely,

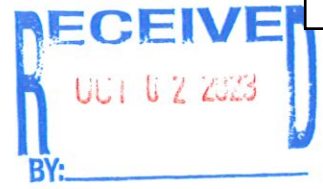
Julie C. Baker (signature)

JULIE C. BAKER (printed name)

383 Lakeshore Dr - Douglas Ave (address)

150 Laurel Oak St. San Jose (address)

9-24-23 (date)



Dear Planning Commission,

Regarding the amended proposal for the BDR/West Shore development plan phase 3, I urge the Planning Commission to **NOT APPROVE** this site plan.

A main entrance off McVea Drive and a secondary emergency entrance off Lakeshore would funnel years of construction traffic and permanent traffic from 22 additional homes onto Ferry, Campbell, McVea and Lakeshore Drive. Those four streets are simply not equipped for this. They already have very heavy pedestrian, bike and vehicular traffic, while lacking sufficient shoulders, bike paths or sidewalks.

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Please include this letter as part of the agenda packet for the meeting where the BDR proposal will be considered. We appreciate your role in helping ensure the safety of our residents and the character of our neighborhoods.

Sincerely,

Andrew Plummer

(Signature)

Andrew Plummer

(Printed Name)

82 Ellis

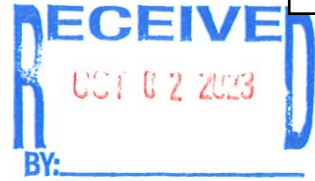
(Address Line 1)

Douglas MI 49406

(Address Line 2)

9/3/23

(Date)



Dear Planning Commission,

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Please include this letter as part of the agenda packet for the meeting where the BDR proposal will be considered. We appreciate your role in helping ensure the safety of our residents and the character of our neighborhoods.

Sincerely,

Kathryn J. Brigham

(Signature)

Kathryn J. Brigham

(Printed Name)

393 Fremont St

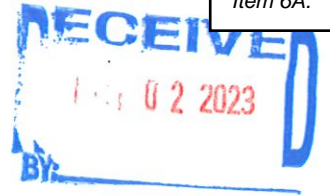
(Address Line 1)

Douglas, MI 49406

(Address Line 2)

9-2-23

(Date)



Dear Planning Commission,

Regarding the amended proposal for the BDR/West Shore development plan phase 3, I urge the Planning Commission to **NOT APPROVE** this site plan.

A main entrance off McVea Drive and a secondary emergency entrance off Lakeshore would funnel years of construction traffic and permanent traffic from 22 additional homes onto Ferry, Campbell, McVea and Lakeshore Drive. Those four streets are simply not equipped for this. They already have very heavy pedestrian, bike and vehicular traffic, while lacking sufficient shoulders, bike paths or sidewalks.

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Please include this letter as part of the agenda packet for the meeting where the BDR proposal will be considered. We appreciate your role in helping ensure the safety of our residents and the character of our neighborhoods.

Sincerely,

Richard D. Brigham, Jr.
Richard D. Brigham, Jr.
393 Freemont St.
Douglas MI 49406
9-2-23

(Signature)

(Printed Name)

(Address Line 1)

(Address Line 2)

(Date)



From: [Pulick, Karen A - Xylem](#)
To: [Sean Homyen; City of Douglas](#)
Cc: [atknecht@sbcglobal.net](#); [Dab1642@aol.com](#); [joymcclen@gmail.com](#); [kmwitt2@yahoo.com](#)
Subject: Westshore PUD/City Council Mtg 7/1/2024
Date: Wednesday, June 26, 2024 4:32:35 PM
Attachments: [Ordinance 03-2012 \(West Shore PUD\).pdf](#)
[Westshore Final PUD drawing set page 11 of 25 C109.pdf](#)
[Final PUD Submittal booklet 07-25-2012.pdf](#)
[Final PUD Submittal Trail References.pdf](#)

Sean – Per our conversation today, Westshore HOA Board would like to submit this email and attachments to include in the packet for the July 1, 2024 City Council Public Hearing as written Public Communication.

City of Village of Douglas
City Council

To City of Village of Douglas City Council:

Following the Planning Committee meeting that was held on June 13, 2024, our HOA Board would like to provide information that should be relevant to any decisions being made in the City Council Meeting on 7/1/2024 regarding the trails in Westshore PUD.

- The Planning Committee, on 6/13/2024, strongly recommended that Ordinance 03-2012 be upheld as filed.
 - Westshore HOA Board is in support of this, and note the following:
 - Public vs Private: Ordinance 03-2012 does not have language that specifically states that all trails within the PUD **must** be public (see attached City copy of Ordinance 03-2012, sections XI. Easements and XVII. Consistency with Planned Unit Development (PUD) Standards.) These state that there are to be public trails and that easements for these public trails are to be recorded PRIOR to any development within the PUD. Note: from 2012 (approval) and 2016, (6) six building permits had been granted within Westshore PUD.
 - Site Plans referenced in Ordinance 03-2012, specifically page 11 of 25, C-109 (attached file ***Westshore Final PUD drawing set page 11 of 25_C109.pdf***), show the planned location and designation of the pathways.
 - Public pathways along Ferry Street (Complete), Center Street (Compete), and from Center Street to Lakeshore.
 - All other pathways have no public designation.
 - Final PUD Submittal document is also attached (***Final PUD Submittal booklet 07-25-2012.pdf***), which mentions trails in several areas, a summary can be found in attached file: ***Final PUD Submittal_Trail References.pdf***
 - Location of Pathways: We support the original plans showing the location of the pathways (public and private), with one exception:

- Original plans would have reduced need for boardwalks over wetlands – less impact to the area.
- Original plans utilize more of an existing pathway (either from former golf course or from public use over the years)
- Original plans provide more privacy to the homeowners on Golfview Dr (Public) and Golf View Dr (private)
- **Change to Original plan needed:** Original site plan showed a pathway from Golf View to the Open space between Unit #18 and Unit #19. We ask that the current proposal, showing the pathway from Golf View Dr to the open space on the north side of Unit #19 be approved.
 - This utilizes space that is already defined as General Common within Westshore Condominiums
 - Should remain private access as it feeds onto a private street.
 - Should have a connection to the public pathway going from Center Street to the Lakeshore.

We ask that this information be considered when reviewing the application from BDR, Inc. We as Westshore HOA Board Members, and as citizens of Douglas, MI, are confident that all changes being requested would still result in a recognizable benefit to the Community.

We appreciate everyone's time and effort in bringing this to resolution.

Regards,
Westshore Condominium HOA Board

CONFIDENTIALITY NOTICE: This e-mail, including any attachments and/or linked documents, is intended for the sole use of the intended addressee and may contain information that is privileged, confidential, proprietary, or otherwise protected by law. Any unauthorized review, dissemination, distribution, or copying is prohibited. If you have received this communication in error, please contact the original sender immediately by reply email and destroy all copies of the original message and any attachments. Please note that any views or opinions presented in this e-mail are solely those of the author and do not necessarily represent those of Xylem Inc..

Final PUD Submittal for WESTSHORE GOLF COURSE REDEVELOPMENT

Douglas, Michigan
December 12, 2011
Revised: July 25, 2012



APPLICANT:
Douglas Property Development, LLC
5510 Cascade Road SE Suite 21
Grand Rapids, Michigan
p: 616.458.8505

DEVELOPER:
BDR Custom Homes
and Renovations
www.bdrcustomhomes.com

PREPARED BY:


NEDERVELD

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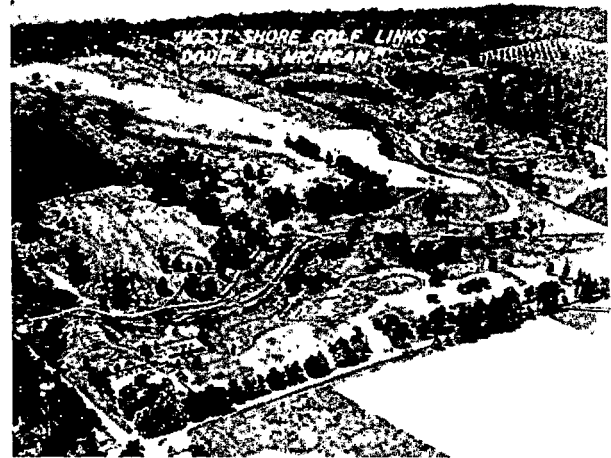
ATTACHED PLANS AND EXHIBITS

Cover Sheet	
Existing Conditions & Survey Plan (C-100)	
Proposed Overall Site Layout Plan (C-101)	
Ferry Street Frontage Area Site Plan (C-102)	
Golf View Drive Extension Area Site Plan (C-103)	
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Building Rendering	

SITE HISTORY

Former Golf Course Use

The property was formerly a golf course. The golf course has not been operated for several years. Photographs from the early to mid 1900's show the golf course history of the site.



Prior Residential PUD Approval

In 2008, Paul Wicks and WS Development, LLC submitted a PUD for the golf course property that was approved by the City in February 2009. The prior PUD included 126 residential units which corresponds to 1.49 units per acre net density. The prior PUD included preservation of a 9 hole golf course.

The open space conservation easement that was granted to the City across the property with the prior PUD has now been vacated by the City.

Below is a copy of the prior approved PUD plan for reference. The prior PUD was mostly a detached single-family residential condominium product with some attached 2 and 3 unit condominium buildings.



DESIGN TEAM

Developer/Builder

BDR Custom Homes
5510 Cascade Rd. SE, Suite 200
Grand Rapids, MI 49546
p 616.458.8505
f 616.458.8008
www.bdrcustomhomes.com

Owner/Applicant

Douglas Property Development, LLC
5510 Cascade Rd. SE, Suite 21
Grand Rapids, MI 49546
p 616.458.8505
f 616.458.8008

Planning/Engineering

Nederveld, Inc.
217 Grandville Avenue, SW Suite 302
Grand Rapids, MI 49503
p 616.575.5190
f 616.575.6644
www.nederveld.com

Architecture

Sears Architects
16 Ionia Avenue, SW Suite 1
Grand Rapids, MI 49503
p 616.336.8495
f 616.336.8499
www.searsarchitects.com

Environmental

Dixon Environmental Consulting, Inc.
1560 North Taylor Avenue
Grand Rapids, MI 49505
p 616.742.5511
f 616.742.5522
www.dixonenvironmental.com

DESIGN TEAM INFORMATION

BDR Executive Custom Homes: Developer/Builder

The developer of the West Shore neighborhoods is BDR Executive Custom Homes, Inc. Since BDR's inception in 1987, over 300 families have trusted BDR to build the custom home of their dreams. In doing so, BDR has become highly respected and admired in the residential and waterfront construction markets. BDR has received numerous "Home of the Year" awards, which demonstrates that BDR is recognized as one of Michigan's premier custom home builders.

In addition to custom home construction, BDR has developed various residential neighborhoods in the Grand Rapids market, including:

- Flowers Mill – An upscale residential community
- Flowers Crossing – An upscale residential community
- Watermark – Reconfigured 18-hole Championship Golf Course, 151 homes site, new Country Club facility, new pool facility
- Pine Nook – An upscale residential community
- Waterleaf – An upscale residential community with 52 home sites currently under construction

More information about BDR can be found at www.bdrcustomhomes.com

PUD Application

VILLAGE OF DOUGLAS
APPLICATION FOR PLANNED UNIT DEVELOPMENT

FEE: \$1000.00 Non-refundable

Before your proposed PLANNED UNIT DEVELOPMENT will be considered by the VILLAGE OF DOUGLAS, you must complete the following application and return it to the Village Clerk's Office, together with **TWELVE (12) COPIES OF THE APPLICATION** and Application Fee as required in the VILLAGE OF DOUGLAS - "SCHEDULE OF FEES." An incomplete Application will be returned to the applicant, and will not be considered for approval.

Acceptance for review of the Application by the VILLAGE OF DOUGLAS does not constitute final approval of your proposed project. Final approval shall be considered in accordance with CHAPTER XV & CHAPTER XIII, if applicable, of the VILLAGE OF DOUGLAS ZONING ORDINANCE.

(1)

- A. Applicant's name Douglas Property Development, LLC
Address 5510 Castade Road, SE Suite 21
Grand Rapids, MI 49546
- B. Applicant's home & business telephone, including area code: (616) 458-8505
- C. Is the applicant the owner of record of the property involved? Yes
- D. If the applicant is not the owner of the property involved, but acting on his or her behalf, state the name and address of the record owner: N/A
- E. State the street address and legal description of the property involved: The legal description is included on the existing conditions survey plan included in the PUD submittal package.

(2)

- A. Attach a small-scale sketch of properties, streets and uses within one-half (1/2) mile of the property involved.
A Vicinity Land Use Map is included in the PUD submittal package
- B. Attach a map to scale showing and identifying any existing or proposed arrangements of the following:
 - I. Streets
 - II. Lot and Buildings
 - III. Access points
 - IV. Other Transportation Arrangements
 - V. Buffer Strips
 - VI. Natural Characteristics
 - VII. Signs indicating the location and type of lighting if any.

(3) Provide a written narrative description covering the following:

- I. The overall objectives of the proposed PLANNED UNIT DEVELOPMENT (attach additional sheets if necessary):

See attached narrative report

II. State the total estimated development cost of each stage of the proposed PLANNED UNIT DEVELOPMENT. Give the total estimated cost, and state your source and method of financing the proposed PLANNED UNIT DEVELOPMENT:

See attached narrative report.

III. What is the number of acres allotted to each proposed use?

See attached narrative report.

IV. What is the gross area in buildings, parking, public or private drives or streets, and necessary yards and densities?

See attached narrative report.

V. Describe the proposed method of providing sewer and water service, as well as other public and private utilities:

See attached narrative report.

VI. Describe the proposed method of providing storm drainage:

See attached narrative report.

I do hereby affirm that the information provided herein is true and accurate to the best of my knowledge, information and belief.

December 9, 2011.
Dated


Signature of Applicant

FOR VILLAGE USE ONLY

Date Application Received: _____

Date Application Reviewed: _____

Date of Planning Commission Review: _____

Application rejected and returned for the following reasons:

VILLAGE OF DOUGLAS
SCHEDULE OF FEES

Application for preliminary approval of PLANNED UNIT DEVELOPMENT \$1,000.00 non-refundable deposit.

Said deposit to be applied against any and all expenses incurred by the VILLAGE in reviewing said Application, including, but not limited to, publication of notices, legal and technical consultation, clerical expenses, and special meetings. Applicant shall also pay any such expenses in excess of said deposit, and shall receive a refund of any unused portion of said deposit. (Resolution dated 5/7/84, Ordinance #93)

Application for final approval of PLANNED UNIT DEVELOPMENT, same as Preliminary approval. (Resolution dated 5/7/84)

Applicant Identification (24.02.01)
Douglas Property Development, LLC
5510 Cascade Rd. SE Suite 21
Grand Rapids, MI 49546
p 616.458.8505
f 616.458.8008
keinfeld@bdrinc.com

Proof of Ownership (24.02.02)

Based on Allegan County records, Douglas Property Development, LLC is the site owner.

General Property Information

Allegan County

[\[Back to Non-Printer Friendly Version\]](#) [\[Send To Printer\]](#)

Parcel: 59-017-031-00 Unit: DOUGLAS CITY

For Further information, please contact the local unit listed above

Property Address		[collapse]	
14 FERRY ST DOUGLAS, MI 49406			
Owner Information		[collapse]	
DOUGLAS PROPERTY DEV LLC 5510 CASCADE RD STE 21 GRAND RAPIDS, MI 49546		Unit:	59
Taxpayer Information		[collapse]	
SEE OWNER INFORMATION			
General Information for Tax Year 2011		[collapse]	
Property Class:	201	Assessed Value:	\$961,400
School District:	03080 - Saugatuck	Taxable Value:	\$528,381
State Equalized Value:	\$961,400	Map #	78
ACTION	0	Date of Last Name Chg:	06/10/2011
		Date Filed:	
		Notes:	N/A

There are no purchase options or liens against the property.

Project Impact Statement (24.02.03)

The proposed project is not anticipated to have a detrimental affect on natural resources or utility infrastructure of the City. The proposed project is designed around existing significant natural land features and environmentally sensitive areas. In addition, the project will preserve 50.25 acres of conservation open space as required by City ordinance.

Existing utility infrastructure in the vicinity of the site has the capacity to service the site without adding a burden to existing infrastructure systems. Prior to preliminary PUD submittal, several meetings with the Kalamazoo Lake Sewer and Water Authority and City staff have occurred to discuss infrastructure issues.

Dixon Environmental has completed a Phase 1 Environmental Site Assessment of the property. Groundwater contamination is associated with the site from historic groundwater impact upstream to the south of the property. A detailed soil and groundwater management plan is summarized in subsequent sections of this document.

The project is not anticipated to have a detrimental impact relating to local roads or traffic. There are four proposed road outlets for the project which will help disperse traffic so that impact to existing roads is minimized to the extent practical.

Property Identification (24.02.04)

An existing conditions survey plan is included in this document. It identifies the property boundaries, boundary dimensions, legal description, and existing site features. It also includes the required drawing scale and north arrow.

Project Description (24.02.05)

The proposed PUD includes a total of 77.3 acres. The PUD is a combination of four distinct development areas. These include the Ferry Street frontage area, Golf View Drive extension area, Center Street frontage area, and the future west development area. Below is a summary of each development area.

	Ferry Street Frontage	Golf View Drive Extension	Center Street Frontage	Future West Development Area	TOTAL
Minimum Lot Area (sq ft)	14,500	23,000	40,000	Undefined	
Minimum Lot Width (feet)	65	21	150	Undefined	
Setbacks (feet)					
Front	20	35	20	Undefined	
Side	7/18 combined	7/18 combined	7/18 combined	Undefined	
Rear	25	25	25	Undefined	
Number of Condominium Units	9	0	18	Up to 60	Up to 87
Number of Accessory Dwelling Units	0	0	0	0	0
Number of Lots	9	10	2	0	21
Total Number of Dwelling Units	18	10	20	Up to 60	Up to 108
Length of Street (feet)	330	530	1,800	Undefined	
Street Class	Private	Private	Private	Private	
Street Type	A	A	A	A	

A total of 108 units are proposed for the entire PUD. This is supported by the base density determination Test Plan discussed in subsequent sections of this document. The net density of the PUD is 1.40 units per acre (108 units on 77.3 acres).

The proposed PUD includes a total of 50.25 acres of open space (65% of the total PUD land area). The City ordinance requires 65% open space for the PUD. The open space areas will be preserved and placed in conservation easement to the City as required by the ordinance. **Pedestrian trails** are proposed within the open space but no other structures or amenities are proposed in the open space.

All the roads within the PUD will be private. A cross section detail of the road showing the road pavement width and right-of-way width is discussed in subsequent sections of this document.

The building architecture of the proposed PUD will be as follows:

For the Golf View extension development area, the homes will be custom built on larger lots with varying architecture. This area of 10 homes will not be themed, but will have a unified look. Each architectural plan will be reviewed and approved by an architectural review committee. All homes will be required to have natural finishes such as stone, brick, stucco, wood or cementitious products.

The other buildings within the PUD will be designed and built to resemble the historic nature of an earlier era. Each phase will have a varied design in architecture. The architecture will be period architecture done in a sensible scale. Units will have footprints of about 1,000 square feet and total finished square footage of around 2,000 square feet

above grade. Finished materials will again be natural products cedar siding and cementitious siding. Each unit will have asphalt roofs as well as insulated windows. All decks and porches will have composite or wood decking.

Natural Features (24.02.06)

Warnock Drain runs through the west side of the site and flows from Center Street toward Ferry Street where it outlets to Kalamazoo Lake to the east of the property. The drain is typically 4-foot deep and has a defined top of bank. There are regulated wetlands associated with the Warnock Drain corridor. A non-regulated 100-year floodplain is also associated with Warnock Drain and it is identified on the Natural Features Inventory Map. Based on correspondence with the Michigan DEQ, this floodplain is not regulated based on the contributing drainage area being less than 2 square miles. Nonetheless, FEMA floodplain inventory maps show a 100-year floodplain across the property but do not identify the elevation.

The west half of the site is fairly level and slopes toward the east. A small irrigation pond is located in the northwest corner of the property and it will remain.

The east half of the site has steep slopes and ravines that direct runoff toward Warnock Drain. Plateaus at the top of these ravines provide great building sites for the proposed PUD.

The site is mostly open field area with trees and vegetation following the steep slope and ravine areas as well as along former golf fairways. Wooded areas and significant trees are identified on the Natural Features Inventory Map.

Existing and Proposed Roads (24.02.07)

The site is bordered to the east by Ferry Street and to the south by Center Street. North of the site is McVea Drive and Golf View Drive. All of these streets are public and controlled by the City. All of these streets have a 66-foot right-of-way with a pavement width of approximately 24-feet. The proposed PUD will connect to all of these existing public streets. The proposed Ferry Street frontage development area will connect at the intersection with West Shore Court. The Center Street frontage development area will connect at the intersection with Wilderness Ridge Drive. The Golf View Drive extension development area will extend Golf View Drive approximately 530-feet to the east for the proposed ten lots associated with this area of the project. The future west development area will connect to McVea Drive and will also connect to Center Street and the Center Street frontage development area.

All of the proposed roads within the PUD will be private. The proposed road has a 24-foot pavement width within a 66-foot right-of-way. Bituminous valley gutter curb edge will be provided on both sides of the roads for stormwater collection and control.

Vehicle and Pedestrian Access Plan (24.02.08)

The proposed Ferry Street frontage development area will have a private road connection at the intersection with West Shore Court. The Center Street frontage development area will have a private road connection at the intersection with Wilderness Ridge Drive. The Golf View Drive extension development area will extend Golf View Drive approximately 530-feet to the east for the proposed ten lots associated with this area of the project. The future west development area

will connect to McVea Drive and will also connect to Center Street and the Center Street frontage development area.

All the units within the PUD will be provided with at least a 2-stall garage for homeowner parking. Guest parking is provided in driveways for each unit and in designated parking areas adjacent to the private street as shown on the site plans. Total vehicle parking for the PUD is as follows:

Parking Type	Ferry Street Frontage	Golf View Drive Extension	Center Street Frontage	Future West Development Area	TOTAL
Garage	37	20	44	130	231
Driveway	30	20	44	65	159
Guest Parking Areas	6	0	22	30	58
TOTAL	73	40	110	225	448

Pedestrian trails will be provided through the development. Some existing cart paths from the former golf course use will be preserved and used for this purpose. No formal sidewalks along the private streets are proposed.

Vicinity Land Uses (24.02.09)

The vicinity of the site is developed primarily with low to medium density single-family residential homes. The property is bordered to the east by Ferry Street and to the south by Center Street. North of the site is Golf View Drive and McVea Drive which are residential streets with single-family homes. To the southwest are West Shore Woods and Wildwood Lane single-family developments. South of Center Street is Wilderness Ridge single-family development.

A Vicinity Land Use Map showing adjacent uses and zoning is included herein.

Utility Service Plan (24.02.10)

The Ferry Street frontage development area will be serviced with sanitary sewer and watermain off the existing utility lines in Ferry Street. The proposed lots that have direct frontage on Ferry Street will be serviced by private sanitary laterals and water lines off the existing main lines in Ferry. The condominium units at the end of the proposed cul-de-sac will be serviced by new utility mains that will be run down the proposed private road off Ferry Street

The Golf View Drive extension area will be serviced with sanitary sewer from the existing sanitary sewer that runs across the property from Ferry Street to Golf View Drive. Water service for this area will be provided by extension of existing watermain in Golf View Drive.

Meetings with KLSWA indicate the existing watermain in McVea is not suitable for extension into the proposed PUD. A recently completed water system reliability study by KLSWA indicates the undersized watermain in McVea will need to be upgraded prior to extension of the McVea or Golfview Drive water system into the PUD.

The Center Street frontage development area will be serviced with sanitary sewer and watermain from the existing utilities in Center Street. The two proposed lots that have direct frontage on Center Street will be serviced by private sanitary laterals and water lines off the existing main lines in Center. The condominium units on the plateau to the north of Center Street will be serviced by new utility mains that will be run down the proposed private road off Center Street.

The future west development area will be serviced with sanitary sewer from the existing sanitary sewer that runs across the property from Ferry Street to Golf View Drive. Watermain for this area will be looped from McVea to Ferry Street along the private road route.

Stormwater management facilities for the proposed PUD are described elsewhere in the document.

The entire PUD will be serviced by buried electric, gas and telephone lines.

Accessory Structure (24.02.11)

No non-residential accessory buildings or fences are proposed for the PUD. Street signs at private street intersections will be provided along with street light poles as shown on the Site Lighting Plan. Development signs will be provided at the Ferry Street entrance, the Center Street entrance and the McVea Drive future entrance.

No accessory residential dwelling units are proposed for this PUD. Although the developer and condominium association may allow sleeping quarters to be constructed on the upper level of attached or detached garages within the PUD. These sleeping quarters would not be provided with kitchens and therefore would not be classified by the City as an accessory dwelling unit.

Landscape Plan (24.02.12)

Existing wooded areas and individual trees will be selectively removed only as necessary for construction of the roads, utilities, driveways, sidewalks, buildings and view corridors. Mass tree clearing of the site is not proposed. The intent is to leave the existing vegetation and character of the site to the extent possible.

The perimeter of the PUD provides the required 25-foot setback buffer. No fencing, berming or tree planting within the 25-foot setback buffer is proposed.

Along the frontage of Ferry Street, the ordinance requires 2” caliper deciduous tree planting at a 30-foot interval. The Ferry Street frontage will be provided with 13 deciduous trees in order to comply with this standard. Far north and south ends of the Ferry Street frontage already have trees and vegetation to meet this standard.

Along the frontage of Center Street, the ordinance requires 2” caliper deciduous tree planting at a 30-foot interval. The east half of the Center Street frontage will be provided with 19 deciduous trees in order to comply with this standard. The west half of the Center Street already has trees and vegetation to meet this standard.

The landscape plan shows the general landscaping to be provided around each condominium building.

The proposed PUD includes a total of 50.25 acres of open space (65% of the total PUD land area). The City ordinance requires 65% open space for the PUD. The open space areas will be preserved and placed in conservation easement to the City as required by the ordinance. **Pedestrian trails** are proposed within the open space but no other structures or amenities are proposed in the open space.

No berms are proposed for the PUD.

Storage Facility (24.02.13)

No storage facilities are proposed in the PUD.

Stormwater Management Plan (24.02.14)

Like the prior PUD that was reviewed and approved in 2009, on-site stormwater detention is not proposed for the PUD. Given the proximity of the PUD to Kalamazoo Lake and the capacity of the existing Warnock Drain, stormwater for the project will be collected in enclosed storm sewer and discharged to Warnock Drain at five locations as shown on the Stormwater Management Plan.

Site Lighting (24.02.15)

Street lighting will be provided on one side of the private streets at approximately every 400-feet of road. Decorative posts and lamps will be used to blend in with the architectural theme and style of the PUD. The light fixture will meet the City dark sky lighting ordinance.

Decorative wall lamps will also be used on the exterior of the cottages and garages.

The development signs at the entrances will also have lighting.

Construction Permit Identification (24.02.16)

Permits required before construction starts include the follows:

<u>Permit</u>	<u>Approving Agency</u>
Soil Erosion & Sedimentation Control Permit	County
NPDES Stormwater Discharge Permit	State DEQ
Sanitary Sewer Construction Permit	State DEQ
Watermain Construction Permit	State DEQ
Wetland Crossing Permit	State DEQ

Project Completion Schedule (24.02.17)

The Ferry Street frontage area and the Golf View Drive extension area will be the first phase which will commence in 2012, pending all approvals and permit. The remaining phases of the development will be built based on sales and market demand.

Compliance with the Tri-Community Plan (24.02.18)

The Tri-Community plan designates this area of the City for medium to high density single and multi-family residential uses. The proposed PUD will be lower density than the Tri-Community Plan anticipated but will generally be in conformance with the objectives of the plan by preservation of 50.25 acres of open space (65%).

Professional Seal (24.02.20)

The professional engineer seal of the plan preparer is included on all the drawings as required.

Soil and Groundwater Management Plan (24.02.21)

A Soil Management Plan (relating to environmental contamination) is not necessary for the Westshore Village Development (subject property or subject site). The unsaturated soil was not impacted and the future plans do not intend to remove soil from the subject property. In addition, based on the preliminary design details, the development activities do not intend to encroach upon the impacted groundwater at the subject site. Under the current design, the impacted groundwater will remain in-place and undisturbed. A narrative summary of the environmental conditions and the assessments are provided below.

Based on historical groundwater monitoring results and recent environmental due diligence investigations, the subject site was confirmed as a "facility" as under Michigan Public Act 451, Part 201, as amended. The contamination relates to halogenated volatile organic compounds (VOCs), specifically tetrachloroethene, trichloroethene and vinyl chloride, which have only impacted the groundwater on portions of the subject site and a portion of the Wicks Creek Drain. The VOCs were released prior to the 1970's from Chase Manufacturing Corporation (currently, Haworth Douglas Plant), which exists at the intersection of Ferry Street and Blue Star Highway (approximately 1/4 mile southeast of the subject site). The VOC contamination migrated with the groundwater under the southeastern portion of the subject site. Wick's Creek appears to serve as a discharge point for the VOC impacted groundwater. Remediation activities have taken place since 2004 and groundwater monitoring of the VOC plume continues with MDEQ oversight.

The recent environmental due diligence investigations included additional soil sampling across the former golf course area. The investigation focused on the herbicide and pesticide storage and application areas, maintenance areas and fueling management areas used by the former golf course operators. Based on the sampling results, no significant impact was identified and the former operations of the golf course did not appear to impact the subject site.

Previous investigations have also been conducted to assess certain due care exposure risks. DEC has previously conducted a soil vapor survey over the buildable portion of the site that is situated above the VOC groundwater plume in the southeaster portion of the subject site. The vapor data results supported that concentrations were approximately 100 times less than the relevant residential screening criteria. In addition, certain metals inherent to pesticide use were assessed in the shallow soils across the golf course property. None of the data exceeded the residential use screening criteria. A comprehensive Due Care Analysis and Plan will be prepared to consider the future construction activities and future residential use of the property. The DCAP will review and compile the available data, review the specific design and construction details and address the potential exposure pathways relating to the documented VOCs in the groundwater.

PUD Eligibility Criteria

Recognizable and Substantial Benefit (27.03.01)

The primary recognizable and substantial benefit of this PUD is the preservation of 50.25 acres (65%) of the site as permanent open space and conservation easement area. This property is one of the largest undeveloped areas in the City. Using only 35% of the site for development will help ensure the character of the community. The preservation of this area would not be possible with traditional development forms.

In addition, the public pedestrian trails that are proposed through the project will be a substantial benefit to the community. Public pedestrian paths are proposed along the Ferry Street frontage, Center Street frontage and through the development from Center Street to Lake Shore Drive.

Minimum Area and Density (27.03.02)

The entire PUD includes a total of 77.3 acres which meets the minimum area requirement of the PUD. The total number of units determined by the Test Plan is 108. The total number of units proposed for the PUD is 108, therefore the overall density of PUD is not exceeding that permitted within the underlying zone district.

Availability and Capacity of Public Services (27.03.03)

Based on pre-application meetings with City staff and KLSWA, the existing utility system has capacity for the proposed PUD. The only area needing utility upgrade is the existing watermain in McVea which will need to be upgraded prior to extension of the McVea or Golfview water system.

Compatibility with the Tri-Community Comprehensive Plan (27.03.04)

The Tri-Community plan designates this area of the City for medium to high density single and multi-family residential uses. The proposed PUD will be lower density than the Tri-Community Plan anticipated but will generally be in conformance with the objectives of the plan by preservation of 50.25 acres of open space (65%).

Compatibility with the PUD Intent (27.03.05)

The intent of the PUD ordinance is to "...achieve integration of the proposed land development project with the characteristics of the project area. The permanent preservation of open space, natural areas and the existing small town rural character of Douglas are major objectives..." The proposed PUD complies with this intent.

Economic Impact (27.03.06)

The proposed PUD will be harmonious with existing surrounding land uses and will not impede the continued use or development of surrounding properties. The proposed PUD is substantially similar in character to existing surrounding land use patterns.

Unified Control of Property (27.03.07)

The entire PUD property is under unified control by the applicant, Douglas Property Development, LLC

Dedication of Utilities and Roads (27.03.08)

Utility easements will be conveyed to the City for future maintenance of the watermain and sanitary sewer systems.

All the proposed roads with the PUD will be private and will be built in accordance with the private road ordinance for material thicknesses.

PUD Project Design Standards

Location (27.04.01)

PUD projects are allowed in any zoning district so the proposed PUD meets this design standard.

Compatibility with Adjacent Uses (27.04.02)

The architecture of the proposed PUD buildings will be consistent in mass and style with surrounding homes. In addition, the placement of the buildings on the site plateaus and preservation of the ravine area will provide screening and buffering of the proposed PUD buildings from adjacent uses. The existing wooded areas and mature trees along with the trees to be planted along the Ferry Street and Center Street frontages will provide additional screening and buffering.

Permitted Uses (27.04.03)

The only use permitted with the proposed PUD is single-family residential which is consistent with the underlying R-1 zone district.

Applicable Base Regulations (27.04.04)

The proposed PUD seeks a deviation from the underlying R-1 zone district lot sizes and building setbacks as summarized below.

	<u>Underlying R-1 Zone</u>	<u>Proposed PUD</u>
Lot Width (feet)	100	21
Setbacks (feet)		
Front	35	20

All other lot and building requirements of the underlying R-1 zone district will be followed.

The proposed PUD also seeks a deviation from the accessory structure placement standards in the Zoning Ordinance. The Zoning Ordinance requires unattached garages and accessory structures to be located behind the front of the home. The proposed PUD would allow the following unattached garage placement:

Ferry Street Frontage Area – unattached garages must be at least 100-feet from the centerline of Ferry Street for lots 1 thru 5, 7 and 8 and the overhead garage doors shall not face east toward Ferry Street. An unattached garage for lot 6 must be at least 75-feet from the centerline of the proposed private road. An unattached garage for lot 9 must be at least 70-feet from the centerline of Ferry Street and the overhead garage doors shall not face east toward Ferry Street .

Golfview Drive Extension Area – unattached garages must be at least 100-feet from the centerline of the proposed private road.

Center Street Frontage Area – unattached garages must be at least 70-feet from the centerline of Center Street for lots 20 and 21 and the overhead garage doors shall not face south toward Center Street. Unattached garages must be at least 48-feet from the centerline of the proposed private road for condominium units C10 thru C27.

Regulatory Flexibility (27.04.05)

As described above, the PUD is seeking a deviation from the ordinance for lot width, front yard setback and accessory structure placement. All other provisions of the zoning ordinance will be followed by the PUD.

Residential Density (27.04.06)

A Test Plan consistent with the underlying R-1 zone district has been prepared to determine the base density of the PUD. The Test Plan demonstrates that 108 lots could be built on the PUD site.

Permitted Mix of Uses (27.04.07)

There are no non-residential components for this PUD. All uses within the PUD will be single-family residential.

Open Space Requirements (27.04.08)

The proposed PUD includes a total of 50.25 acres of open space (65% of the total PUD land area). The City ordinance requires 65% open space for the PUD. The open space areas will be preserved and placed in conservation easement to the City as required by the ordinance. **Pedestrian trails are proposed within the open space but no other structures or amenities are proposed in the open space.**

Frontage and Access (27.04.09)

The site is bordered to the east by Ferry Street and to the south by Center Street. North of the site is McVea Drive and Golf View Drive. All of these streets are public and controlled by the City. All of these streets have a 66-foot right-of-way with a pavement width of approximately 24-feet. The proposed PUD will connect to all of these existing public streets. The proposed Ferry Street frontage development area will connect at the intersection with West Shore Court. The Center Street frontage development area will connect at the intersection with Wilderness Ridge Drive. The Golf View Drive extension development area will extend Golf View Drive approximately 530-feet to the east for the proposed ten lots associated with this area of the project. The future west development area will connect to McVea Drive and will also connect to Center Street and the Center Street frontage development area.

All of the proposed roads within the PUD will be private. The proposed PUD roads have a 24-foot pavement width within a 66-foot right-of-way. Bituminous valley gutter curb edge will be provided for stormwater collection and control.

Utilities (27.04.10)

All utilities within the PUD will be placed underground.

Privacy of Dwelling Units (27.04.11)

Existing topography and mature trees will provide buffering and privacy for both the proposed PUD buildings and the existing surrounding uses. The majority of the buildings in the PUD are setback a significant distance from the PUD boundary and buffered by both topography and vegetation.

Emergency Access (27.04.12)

The proposed road network provides access for emergency vehicles through the PUD. The roads are designed to provide a minimum subgrade gravel base width of 26-feet in order to provide support for emergency vehicles in accordance with the Fire Code. Paved cul-de-sac turn arounds at the end of dead end streets are proposed and are designed in accordance with the Fire Code.

Pedestrian and Vehicular Circulation (27.04.13)

The proposed Ferry Street frontage development area will have a private road connection at the intersection with West Shore Court. The Center Street frontage development area will have a private road connection at the intersection with Wilderness Ridge Drive. The Golf View Drive extension development area will extend Golf View Drive approximately 530-feet to the east for the proposed ten lots associated with this area of the project. The future west development area will connect to McVea Drive and will also connect to Center Street and the Center Street frontage development area.

Pedestrian trails will be provided through the development. Some existing cart paths from the former golf course use will be preserved and used for this purpose. No formal sidewalks along the private streets or along the public road frontages are proposed.

Public pedestrian trails are proposed through the project. Public pedestrian paths are proposed along the Ferry Street frontage, Center Street frontage and through the development from Center Street to Lake Shore Drive.

Maximum Height (27.04.14)

Maximum building height within the PUD will be consistent with the underlying R-1 zone district.

Minimum Spacing (27.04.15)

Minimum spacing between detached buildings within the PUD will be 15-feet in accordance with the PUD ordinance requirement. Generally the distance between the conventional condominium buildings will be 20-feet.

Building Length (27.04.16)

No multi-family buildings are proposed for the PUD. No building in the PUD will be longer than 120-feet as required by the PUD ordinance.

Sensitive Natural Features (27.04.17)

All sensitive natural features of the site will be preserved as open space within the PUD. The Warnock Drain corridor, existing wetland areas, existing floodplain areas and steep slope areas will all be preserved. The only exception being the required private road access off Center Street which will require crossing of these natural features.

Buffer Zone Along Streams (27.04.18)

There is an existing 65-foot drainage easement to the County Drain Commission over Warnock Drain. All of the proposed buildings and lots within the PUD are setback at least 80-feet from the drain.

Buffer Zone Along Property Lines (27.04.19)

A 25-foot PUD buffer setback is proposed around the entire PUD.

Parking Areas (27.04.20)

Several guest parking areas are proposed for the Center Street and Ferry Street frontage development areas. These are the only formal parking facilities proposed for the PUD. Homeowner and guest parking for the remainder of the development will be provided in 2-stall garages and driveways. Most driveways within the PUD area at least 40-feet long which can accommodate two cars per driveway.

Common Property (27.04.21)

The open space and private road easement areas will be general common elements of the PUD and condominium. These areas will be so designated on the condominium master deed & by-laws.

Easements Across Common Property (27.04.22)

Easement for sanitary and watermain utilities will be granted to the City over and across the PUD to provide for future maintenance of said utilities. In addition, public pedestrian access easements will be granted to the City for the waling paths on Center Street, Ferry Street and through the development from Center Street to Lake Shore Drive.

ADDITIONAL PUD INFORMATION

Building Footprint Flexibility

The PUD plans show building footprints for the condominium units. However, the developer needs the flexibility to locate the condominium units as needed based on topography, views, vegetation, etc. Therefore, the building footprints shown on the PUD site plans are for basic intent only. In general the distance between buildings will be maintained as shown plus or minus 20-feet with no building being closer than 15-feet to another building.

In addition, the PUD site plans show all the condominium unit buildings as being the same footprint and design. However, each condominium building will be a custom home and therefore the size, shape and design of each building will vary.

Common Area Maintenance

Common yard areas in and around the condominium units will be identified within the condominium master deed and by-laws as general common element. These areas will be maintained by an outside lawn service hired by the condominium association. The master deed and by-laws will restrict placement of fences between or around the condominium units.

Final Construction Plans for Road and Utilities

Construction plans for roads and utilities will be prepared by the developer's engineer and provided to the City and Kalamazoo Lakes Sewer and Water Authority for review and approval prior to start of construction for each phase. All necessary construction permits for site infrastructure will be obtained prior to start of construction of each phase. Final water and sewer utility easements will also be provided to the City prior to start of construction of each phase.

Following infrastructure construction of each phase, but no later than 4 months after completion of construction, the developer will provide the City with utility as-built record plans.

Phasing of Development and Improvements

Lots 20 and 21 on Center Street, the Ferry Street frontage area and the Golfview Drive extension area will be the first phase and will be built in 2012, pending approvals. The remainder of the development will be built on market demand.

Regarding the public pedestrian paths, these will be built according to the following schedule:

Path Section	Construction Type	Schedule for Installation
Ferry Street public sidewalk	Asphalt	By 12/31/13
Center Street public sidewalk	Asphalt	By 12/31/13
Public access from Center Street to Lakeshore Drive	Maintained as a mowed path with vegetation kept to 12 inch height or less at all times upon issuance of the first Certificate of Occupancy within the development and then converted to crushed concrete, gravel, or similar by 12/31/14	By 12/31/14
Internal connector - Ferry Street to loop around Plateau	Crushed concrete, gravel, or similar	Upon 4 Certificates of Occupancy at Ferry Street, but no later than 36 months from final PUD approval
Internal connector - North section of loop around Plateau	Crushed concrete, gravel, or similar	Upon 6 Certificates of Occupancy at Plateau area, but no later than 48 months from final PUD approval
Internal connector - Golfview to west	Crushed concrete, gravel, or similar	Upon 4 Certificates of Occupancy at Golfview, but no later than 36 months from final PUD approval

Page 15 of 28 - Project Description (24.02.05): Pedestrian trails are proposed within the open space but no other structures or amenities are proposed in the open space.

Page 17 of 28 - Vehicle and Pedestrian Access Plan (24.02.08): Pedestrian trails will be provided through the development.

Page 19 of 28 - Landscape Plan (24.02.12): Pedestrian trails are proposed within the open space but no other structures or amenities are proposed in the open space.

Page 21 of 28 – PUD Eligibility Criteria, Recognizable and Substantial Benefit (27.03.01): Public pedestrian paths are proposed along the Ferry Street frontage, Center Street frontage and through the development from Center Street to Lake Shore Drive.

Page 24 of 28 – Open Space Requirements (27.04.08): Pedestrian trails are proposed within the open space but no other structures or amenities are proposed in the open space.

Page 25 of 28 – Pedestrian and Vehicular Circulation (27.04.13): Pedestrian trails provided through the development...Public pedestrian paths are proposed along the Ferry Street frontage, Center Street frontage and through the development from Center Street to Lake Shore Drive.

Page 28 of 28 – Phasing of Development and Improvements – construction schedule of pathways:

Path Section	Construction Type	Schedule for Installation
Ferry Street public sidewalk	Asphalt	By 12/31/13
Center Street public sidewalk	Asphalt	By 12/31/13
Public access from Center Street to Lakeshore Drive	Maintained as a mowed path with vegetation kept to 12 inch height or less at all times upon issuance of the first Certificate of Occupancy within the development and then converted to crushed concrete, gravel, or similar by 12/31/14	By 12/31/14
Internal connector - Ferry Street to loop around Plateau	Crushed concrete, gravel, or similar	Upon 4 Certificates of Occupancy at Ferry Street, but no later than 36 months from final PUD approval
Internal connector - North section of loop around Plateau	Crushed concrete, gravel, or similar	Upon 6 Certificates of Occupancy at Plateau area, but no later than 48 months from final PUD approval
Internal connector - Golfview to west	Crushed concrete, gravel, or similar	Upon 4 Certificates of Occupancy at Golfview, but no later than 36 months from final PUD approval

CITY OF THE VILLAGE OF DOUGLAS
ALLEGAN COUNTY, MICHIGAN
ORDINANCE NO. 03 - 2012

**AN ORDINANCE TO AMEND THE CITY OF DOUGLAS ZONING
ORDINANCE AND ZONING MAP TO ESTABLISH THE WEST SHORE
GOLF COURSE REDEVELOPMENT PLANNED UNIT DEVELOPMENT
PROJECT.**

The City of Douglas (the "City") Ordains:

Section I. An Amendment to the City of Douglas Zoning Ordinance.

The application received from Kevin Einfeld of Douglas Property Development, LCC (hereinafter referred to as the "Developer") for Planned Unit Development designation for the proposed Westshore Golf Redevelopment Planned Unit Development Project (hereinafter referred to as the "Project") was recommended by the City of Douglas Planning Commission for approval at the July 11, 2012 Planning Commission meeting following a public hearing. The property at issue was previously zoned R-1 PUD, but no PUD ordinance was prepared at that time. This PUD ordinance is enacted pursuant to Article 27 of the City of the Village of Douglas Zoning Ordinance.

Section II. Legal Description.

The legal description of the Project is as follows:

West Shore Golf PUD Description:

Part of the North 1/2 of Section 17, Town 3 North, Range 16 West, City of Douglas, Allegan County, Michigan described as: Commencing at the Northeast corner of said Section; thence S00°21'57"W 1203.72 feet along the East line of said North 1/2 to the Point of Beginning; thence N89°17'50"W 431.89 feet; thence N00°53'13"W 337.43 feet; thence N80°31'00"W 874.96 feet; thence S00°25'11"W 421.70 feet along the East line of McVea Plat and the extension thereof; thence N89°59'26"W 1471.32 feet along the South line of said Plat and its

extension; thence S00°17'10"W 164.97 feet; thence N89°23'53"W 261.35 feet to a point on the East line of Lot 8, Trumbull's Addition to the Village of Douglas; thence N63°36'10"W 112.61 feet; thence S26°11'58"W 20.00 feet along the Southeast line of Lakeshore Drive; thence S63°36'10"E 117.13 feet to a point being 5.00 feet Northeasterly along the East line of said Lot from the Southeast corner of said Lot 8; thence S89°23'53"E 266.04 feet; thence S00°17'10"W 597.78 feet; thence S88°20'23"E 164.16 feet along the North line of Wildwood Lane to the North and South 1/4 line of said Section; thence N89°41'57"E 1004.98 feet along North line of West Shore Woods Condominiums and the extension thereof; thence S00°27'10"W 686.00 feet along the East line of said Condominiums; thence N90°00'00"E 1155.80 feet along said South line; thence N00°21'57"E 150.00 feet; thence N90°00'00"E 117.00 feet; thence N00°21'57"E 200.00 feet; thence N90°00'00"E 333.00 feet; thence N00°21'57"E 1052.88 feet along the East line of said North 1/2 to the point of beginning. Subject to highway right-of-way for 131st Avenue over the South 33.0 feet thereof, and for Ferry Street over the East 33.0 feet thereof. Also subject to easements, restrictions, and rights-of-way of record.

Also, part of the Northeast 1/4 of Section 17, Town 3 North, Range 16 West, City of Douglas, Allegan County, Michigan described as: Commencing at the East 1/4 corner of said Section; thence S90°00'00"W 1005.80 feet along the East and West 1/4 line of said Section to the Point of Beginning; thence S90°00'00"W 300.00 feet; thence N00°27'10"E 300.00 feet to Reference Point "B"; thence N00°27'10"E 15 feet, more or less, to the centerline of a drain; thence Southeasterly 380 feet, more or less, along said centerline to a line which bears N00°27'10"E from the Point of Beginning; thence S00°27'10"W 17 feet, more or less, to Reference Point "C", said Reference Point being S51°10'45"E 175.00 feet and S72°47'35"E 170.00 feet from said Reference Point "B"; thence S00°27'10"W 140.00 feet to the point of beginning. Subject to highway right-of-way for 131st Avenue (Center Street) over the South 33.0 feet thereof. Also subject to easements, restrictions, and rights-of-way of record.

Also, part of the Northeast 1/4 of Section 17, Town 3 North, Range 16 West, City of Douglas, Allegan County, Michigan described as: Commencing at the East 1/4 corner of said Section; thence S90°00'00"W 1305.80 feet along the East and West 1/4 line of said Section to the Point of Beginning; thence S90°00'00"W 300.00 feet to the East line of West Shore Woods Condominiums; thence N00°27'10"E 100.00 feet along said East line to Reference Point "A"; thence N00°27'10"E 24 feet, more or less, to the centerline of a drain; thence Northeasterly 370 feet, more or less, along said centerline to a line which bears N00°27'10"E from the Point of Beginning; thence S00°27'10"W 15 feet, more or less, to Reference Point "B", said Reference Point being N56°26'58"E 361.87 feet from said Reference Point "A"; thence S00°27'10"W 300.00 feet to the point of beginning. Subject to highway right-of-way for 131st Avenue (Center Street) over the South 33.0 feet thereof. Also subject to easements, restrictions, and rights-of-way of record.

Contains 77.3 acres more or less.

Subject to any easements, restrictions or rights of way of record.

Section III. General Provisions.

The following provisions shall hereby apply to the project, in addition to those provisions outlined in Article 27 of the City of the Village of Douglas Zoning Ordinance.

Section IV. Purpose.

The Project occupies approximately 77.3 acres in the City. The Project will be a site condominium development containing 48 detached single family dwelling units. Not less than 65% of the property is to be preserved as open space. The Planned Unit Development technique has been chosen by the Developer to give it and the eventual owners of each unit more control over the Project's aesthetics and appearance. This development technique provides the developer with the ability to develop the Project in a manner to meet market expectations where more traditional mechanisms such as creating subdivision plats do not.

The regulations contained herein are established to define the procedures necessary to ensure high quality development in the Project. Additionally, they are designed to achieve integration of this development with adjacent land uses.

Section V. Approval Limitations.

A. The provisions of this Ordinance are not intended as a substitute for the City of the Village of Douglas Zoning Ordinance and the Final PUD Plan, nor do they in any way relieve the developer from obtaining all approvals

and permits required by the City, except as otherwise expressly provided herein. In the event that a development issue or site plan element is not expressly addressed by this ordinance, the specifications and requirements of the City of the Village of Douglas Zoning Ordinance shall apply. Furthermore, all other City ordinances shall still govern the Project where applicable.

B. Except as expressly otherwise provided herein, the Developer and his assigns must meet all applicable provisions, ordinance requirements, and regulations of City of Douglas, as well as federal and state law, and must obtain all necessary approvals from state and county governmental agencies that are required for construction, operation, or use.

C. This PUD approval is expressly contingent upon all conditions of approval herein remaining fully effective and valid. If any condition imposed herein is determined to be illegal or contrary to law as a result of a successful legal challenge by the Developer or its assigns, or any other party, the City reserves the right to review the entire Project under the PUD provisions of the City of Douglas Zoning Ordinance, and further, to withdraw its approval of this PUD if the City finds that, absent the effect of any condition imposed herein, the PUD no longer meets the standards for PUD approval contained in the Zoning Ordinance.

D. All conditions contained herein and in the final approved site plan shall be binding upon the Developer, as well as its successors, tenants and assigns. The conditions may be modified or amended only pursuant to a formal amendment of the PUD approval, approved site plan, and ordinance amendment. The Project must be constructed and operated, and all properties therein used, in strict compliance with the PUD approval (including this Ordinance and the final approved site plan), and no deviations can occur without prior formal written approval by the City. So called minor deviations as provided for within Article 27 of the City's Zoning Ordinance shall not occur unilaterally by the Developer or its successors, tenants, or assigns. Any deviation without prior formal written approval by

the City will constitute a violation of this Ordinance and the City of Douglas Zoning Ordinance.

E. This approval document shall be recorded with the Allegan County Register of Deeds by the Developer prior to construction occurring on site and shall run with and bind the lands involved. Copies of this recorded document shall be supplied by the Developer to the City of Douglas Clerk.

F. Failure to comply with the site plan or any condition of approval herein shall be deemed to be both a nuisance per se and a violation of the City of Douglas Zoning Ordinance.

G. Prior to recording a copy of this document as specified in Section V(E) hereof, the Developer shall type the following statement onto the end of this document (or add an additional page to the document) as follows, and shall sign and date the same:

"I, Kevin Einfeld, have fully read the above PUD ordinance amendment, understand its provisions and fully agree with all requirements and conditions contained in the same, on behalf of myself and my assigns, successors and transferees in and to the property involved."

Section VI. Site Condominium Documents and Plans.

A. Specific controls relating to architectural elements, common elements of the site condominium project, construction materials, size and space requirements, improvements and out buildings, specific prohibitions and rules of conduct shall be governed by site condominium bylaws and master deed. These restrictions shall become part of this Ordinance by reference.

B. The Project shall be developed exactly in accordance with the site plan approved and signed by the City. The site plan shall indicate the approximate location of each building envelope and shall provide appropriate measurements demonstrating compliance with Section 16.25

of the Zoning Ordinance. Engineering plans and documents relating to utilities, topography, drainage, and the survey of each phase of the Project shall be reviewed and approved by the City Engineer. Approval of these documents shall be based upon their meeting the requirements of the Zoning Ordinance and also meeting recognized, acceptable engineering standards and practices. Once it has been determined that the plans have met City requirements, the City Engineer shall sign and mark these plan documents as "Approved," and forward them to the Developer. Only approved plan documents shall be recorded with the appropriate county and state agencies.

C. The number of building sites may be reduced or consolidated within the Project only after the review by and written approval of the Zoning Administrator. The proposed changes to the site/survey plan to reduce or consolidate building sites shall be reviewed by the Zoning Administrator to ensure compliance with the City of Douglas Zoning Ordinance, this PUD Ordinance, and any other requirements. Once approved by the Zoning Administrator, the amended site/survey shall then be recorded with the Allegan County Register of Deeds Office and the appropriate state agencies by the Developer at his cost. A copy of the recorded site/survey plan shall be forwarded to the City Clerk, so that accurate files regarding the development can be maintained.

Section VII. Permitted Uses.

The permitted uses for the Westshore Golf Course Redevelopment PUD are as follows:

A. Single Family Residences.

B. Accessory buildings customarily incidental to a single family residence, subject to the provisions of the Final Approved PUD Submittal, attached hereto as Exhibit (X).

C. Signs. All signs for the Project shall conform with the City of Douglas Sign Ordinance (Ordinance 111-D).

Section VIII. Design Guidelines, Requirements and Limitations.

The Project shall be developed in exact accordance with the site plan approved by the City and the narrative documentation provided within the Final approved Submittal for PUD. No alterations, expansions or additions may occur as to the Project without a formal amendment to this Ordinance, unless expressly otherwise authorized herein.

A. Maximum Number of Residential Units - The maximum number of single-family detached site condominium units within the Project shall be limited to forty six (46) units until such time as the developer submits a revised PUD plan to be reviewed by the City Planning Commission in accordance with the standards of Article 24 and 27 of the City of Douglas Zoning Ordinance and approved by the Douglas City Council.

Section IX. Private Street Development.

A. The Developer shall submit a street construction, maintenance, and pavement plan consistent with Article 18 of the Zoning Ordinance. The Developer may establish private streets to serve the Project provided the roads are constructed in accordance with the City of Douglas engineering requirements and standards for private streets and the following specifications:

1. All grades shall be sufficient to allow safe ingress/egress of emergency vehicles.
2. The private streets shall be posted with signs stating the street names. These signs shall be consistent with Allegan County Road Commission standards and requirements and shall be installed at the Developer's cost.
3. Any private street shall intersect any public road at a 90 degree angle or a 180 degree angle where appropriate.
4. Copies of any permits required by the Allegan County Road Commission

to connect the private street to any public road shall be provided to the City Zoning Administrator by the Developer.

B. The Developer of the Project shall provide a disclosure statement on all property deeds to all owners of the private street, all those who utilize the private street and all persons securing a building permit to construct a building or structure served by the private street, by applying for and securing a building permit for construction of a building or structure that utilizes the private street, all such persons shall use the private street at their own risk and the City (and its employees, officials, and agents) shall not be responsible for any aspect of the private street.

C. It shall be the responsibility of the Developer and its successors or the individual property owners to fully maintain and keep the private access street in good repair at all times and to ensure that snow and ice is removed in a timely fashion during the winter.

D. No combustible building materials may be erected on the Project until a temporary access road and operable fire hydrants are constructed to within 150 feet of the furthest point of a structure. Such road shall be a minimum 24 feet wide and be able to support 20 tons on a single axle with dual wheels and standard road tires.

Section X. Temporary Buildings.

No structure of a temporary nature; trailer, tent or construction shack shall be constructed, placed or maintained within the Project except accessory to and during construction of any building or infrastructure improvement.

Section XI. Easements

Prior to any construction occurring, the Westshore Golf Course Redevelopment PUD shall provide recorded copies of all permanent easements providing public access to trailways and/or conserving open space on the site. These easements have been illustrated on the site plan dated July 25, 2012.

Section XII. Utilities.

A. Water and Sewer - The Project will be served by municipal sewer and water and each individual unit shall be serviced by a private lateral. Such systems shall be designed, installed, and maintained pursuant to all applicable requirements of the City of Douglas and the Kalamzoo Lake Sewer and Water Authority.

B. Stormwater Drainage -

In lieu of requiring that an Act 433 agreement or a drainage district be established with the Allegan County Drain Commissioner, City of Douglas has agreed to approve the site plan for the Project so long as the Project (and any and all portions thereof) always complies with the City of Douglas Zoning Ordinance (as that ordinance may be amended from time to time, as well as any successor ordinance or ordinances). Accordingly, the property owner's association (the "Association") and all landowners within the Project ("Co Owners") are required to ensure the proper installation and permanent maintenance of any and all storm drainage and water retention systems, pipes, ponds, and facilities for the Project (collectively, the "Facilities") shown on the approved site plan or as otherwise required by the City of Douglas Zoning Ordinance (as that ordinance may be amended from time to time, as well as any successor ordinance or ordinances, all of which shall collectively be referred to hereinafter as the "Zoning Ordinance"). Such requirements and obligations of the Association and Co-Owners include, but are not necessarily limited to, the following:

1. Maintenance and repair regarding the following items shall be done on a regular basis and in such fashion as to ensure that all components of the Facilities function properly at all times:

- (a) Sediment removal;
- (b) Erosion control;
- (c) Ensuring constant structural integrity of the physical systems; and
- (d) Designate access to the facilities.

2. The City (including its designated officials, officers, agents, and

contractors) shall have the right to physically inspect all aspects of the Facilities at all reasonable times, or any other times if, in the opinion of the City, there is a threat to the public health, safety, or welfare.

3. Buildings, structures, landscaping, trees, or similar items shall not be installed, planted, or placed over any portion of the Facilities without prior written approval from the City.

4. The Association and Co-Owners shall supply the City with a permanent recordable easement (in a form acceptable to the City) regarding the following after installation and within 60 days of the date requested by the City for the following:

- (a) Storm sewer pipes;
- (b) Basins;
- (c) Spillways;
- (d) Waterways; and
- (e) Designated access routes

5. The City shall be supplied with an engineer's "as-built" certification to certify that the Facilities as constructed and installed matches the approved design. The City shall also be supplied with a reduced copy of the approved site plan graphically showing the Facilities, together with any and all easements therefore.

6. The City shall be supplied with a permanent easement or irrevocable license allowing the City (as well as its designated officials, officers, agents, and contractors) to have access between the public road right-of-way to any and all portions of the Facilities.

7. Should the Facilities not be properly installed, maintained, and/or repaired, in compliance with all of the requirements of this Section XII.B, the approved site plan, and the Stormwater Ordinance (whether due to the fault or neglect of the developer, the Association, and/or the Co-Owners), and any such noncompliance or deficiency shall not have been fully

remedied within 30 days of the date when the City has given the Association written notice of any such noncompliance or deficiencies, the City, at its sole option and discretion, shall have the right and authority to perform any and all installations, repairs, and/or maintenance which is reasonably required and charge back the costs thereof to the Association and Co-Owners (together with reasonable administrative costs and legal fees, should any challenge occur regarding the City's actions) as follows:

(a) Establish a Special Assessment District. The City may establish a special assessment district for the Project to pay for or reimburse the City for any and all such costs (as well as to ensure future required repairs and maintenance) pursuant to whichever state statute the City desires to utilize. In such event, all of the Co-Owners and the Association shall be deemed to have consented to the establishment of such a special assessment district.

(b) Proceeding to Collect Pursuant to the Master Deed and Condominium Documents. Alternately, the City shall also have the authority to collect or seek reimbursement for any and all such costs from the Association and Co-Owners as if such obligations of the Association and Co-Owners were in the form of a permanent deed restriction or covenant on the Project. Should the City pursue this remedy, the City would have any and all rights attributable to the Association when collecting dues or assessments from Co-Owners. Additionally, such costs shall be a lien on each of the Units, which shall be enforceable in accordance with Act No. 94 of the Public Acts of 1933, as amended from time to time. Any such charges which are delinquent for six (6) months or more may be certified annually to the City Treasurer, who shall enter the lien on the next tax roll against the applicable Unit, and the costs shall be collected in the lien shall be enforced in the same manner as provided for in the collection of taxes assessed upon the roll in the enforcement of a lien for taxes. In addition to any other lawful enforcement methods, the City shall have all remedies authorized by Act No. 94 of the Public Acts of 1933, as amended. The above alternate remedies (being (a) and (b)) shall be deemed to be in addition to any and all other remedies provided for elsewhere in the Master Deed or condominium documents or at law or equity. The City shall have

the sole authority and discretion to determine whether or not to proceed pursuant to (a) or (b), above.

C. The Developer shall provide all necessary easements within the Project for telephone, electricity, gas and cable television to the appropriate utility provider without cost. Said easements shall be recorded with the Allegan County Register of Deeds and be provided to each utility provider for their records.

D. Exterior Lighting. All street lighting shall be consistent with Section 19.05 of the Zoning Ordinance and shall either be installed prior to the issuance of any certificate of occupancy for the first building in the Project or paid for prior to the issuance of any certificate of occupancy for the project.

Section XIII. Soil Erosion Control Requirements.

The Developer shall submit a soil erosion control plan showing all temporary and permanent soil erosion control measures to be taken before, during, and after construction on the Project. This plan shall be reviewed and approved by the City Engineer prior to commencing any excavation on the site.

Section XIV. Performance Guarantee.

To ensure compliance with this Ordinance and any conditions herein, the City may require reasonable performance guarantees to ensure completion of improvements such as, but not limited to, landscaping, drainage, lighting, roads, and utilities. The City Council, Engineer, or Zoning Administrator may require such guarantees at any time they deem reasonably necessary to ensure completion of the improvements. The form (including the bank or surety involved), duration, and amount of the performance guarantee as shall be approved by the City. The performance guarantees to be required by the City may include only the provision of performance and payment bonds by an approved surety or the provision of a letter of credit from an approved financial institution.

Section XV. Permanent Common Open Space.

The permanent common open space area is to remain in its present undeveloped state in perpetuity. To ensure this occurs, the following regulations shall apply to the permanent common open space area:

A. No buildings, structures, fences, or driveways shall be erected, constructed or placed within the common open space area. The private streets and their associated infrastructure improvements may encroach into this area provided all plans are approved by the City and are consistent with the development plan for this Project.

B. There shall be no tree or vegetation cutting or removal within the common open space areas except to remove fallen, dead, diseased or dangerous trees or vegetation. The required detention and mitigation areas must also be constructed according to the approved plans.

C. There shall be no draining, filling or any other improvements of the wetlands within this common open space area other than that already permitted by the Michigan Department of Environmental Quality (MDEQ). The project must stay in full compliance with applicable MDEQ permits.

Section XVI. Consistency of the Master Deed and/or Deed Restrictions/Covenants with the PUD Approval.

If the Project will be a condominium project (in whole or in part), the master deed (and attachments) shall be reviewed and approved by the City Attorney prior to final recording to ensure consistency with this Ordinance. If some or all of the Project will be governed by deed restrictions/restrictive covenants apart from a condominium master deed, such deed restrictions/restrictive covenants shall be reviewed and approved by the City Attorney before recording to ensure consistency with this Ordinance.

Section XVII. Consistency with Planned Unit Development (PUD) Standards.

The rezoning to Planned Unit Development will result in a recognizable

benefit to the ultimate users of the Project and to the community. Current and future residents will recognize the benefits of a residential development that offers a low-density land use and public non-motorized pathways.

In relation to the underlying zoning (R-1) the City finds the Project will not result in a material increase in the need for public services, facilities and utilities and will not place a material burden upon the subject property and the surrounding properties. The Project is not anticipated to cause undo impact to the stormwater drainage of the surrounding area. All stormwater and soil erosion control plans have been approved by the City Engineer and the appropriate County and State agencies.

The Project has been determined by the City to be compatible with the 2005 Tri-Community Comprehensive Plan and with the spirit and intent of the Planned Unit Development Chapter of the Zoning Ordinance. The Project has been determined to be a "Residential" use, which is consistent with the City of Douglas Comprehensive Plan.

The City finds the Project will not result in an unreasonable negative economic impact upon surrounding properties.

The City finds the Project to have at least the same amount of green areas and usable open space than would typically be required by the City Zoning Ordinance.

Finally, the City recognizes the Project will be under single ownership or control. The City recognizes that the Developer or its assigns will retain ownership and control of the Premises until a majority of the site condominium units are purchased for single family residential purposes.

Section XVIII. Effective Date.

This Ordinance shall become effective twenty (20) days after publication of the ordinance, or a summary thereof, in a newspaper of general circulation within City of Douglas.

EXHIBIT "B"

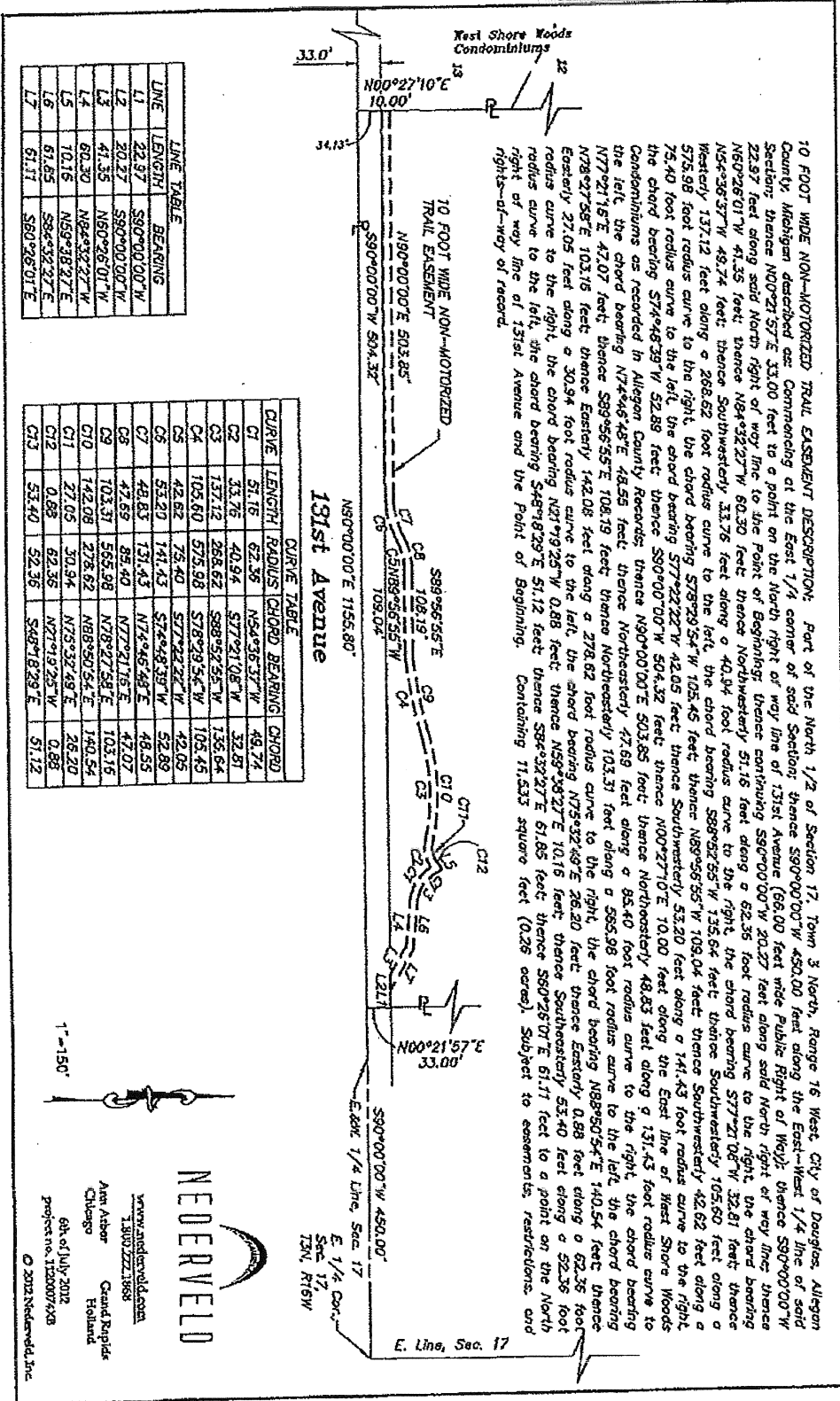
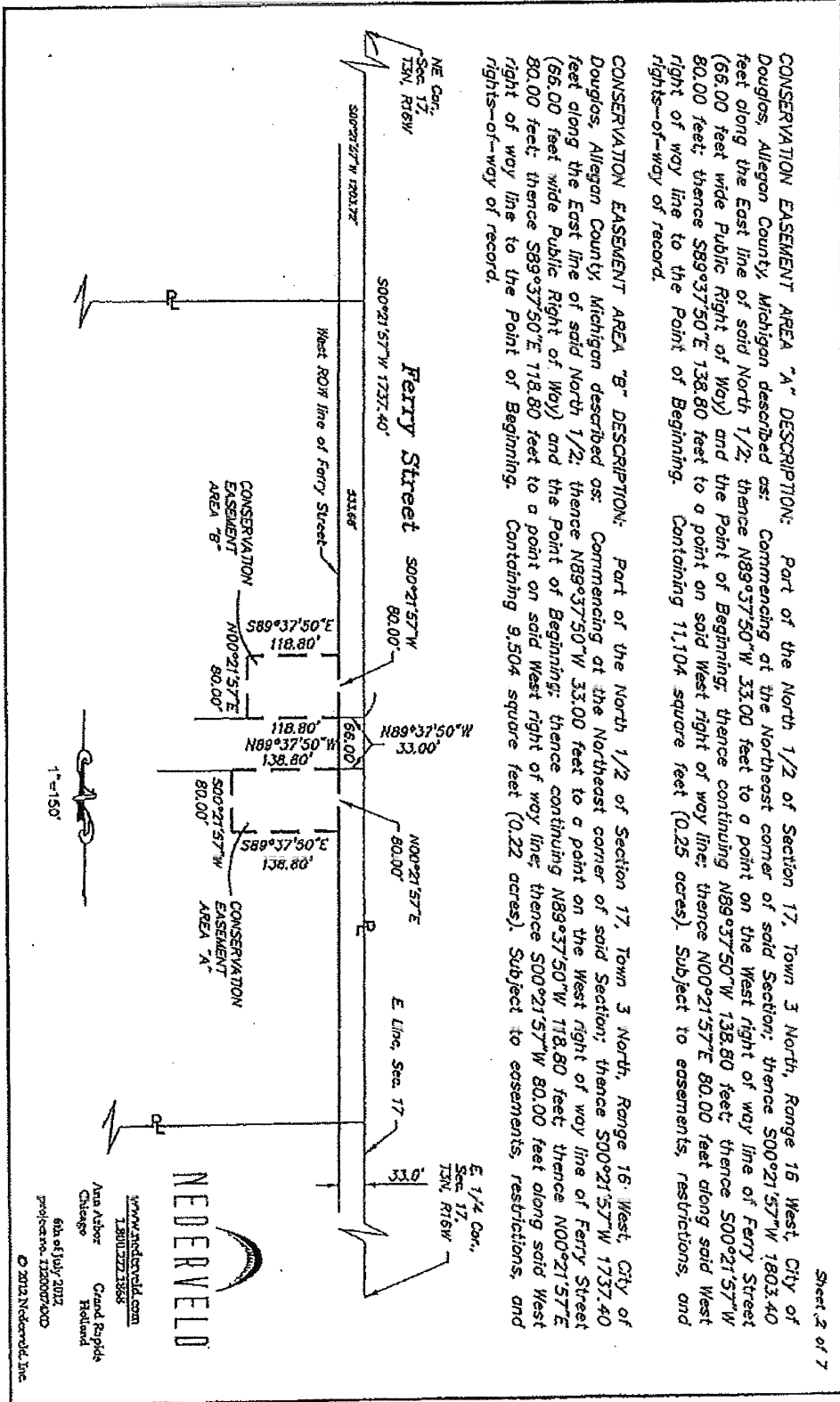


EXHIBIT "D"

CONSERVATION EASEMENT AREA "A" DESCRIPTION: Part of the North 1/2 of Section 17, Town 3 North, Range 16 West, City of Douglas, Allegan County, Michigan described as: Commencing at the Northeast corner of said Section; thence $S00^{\circ}21'57''W$ 1803.40 feet along the East line of said North 1/2; thence $N89^{\circ}37'50''W$ 33.00 feet to a point on the West right of way line of Ferry Street (66.00 feet wide Public Right of Way) and the Point of Beginning; thence continuing $N89^{\circ}37'50''W$ 138.80 feet; thence $S00^{\circ}21'57''W$ 80.00 feet; thence $S89^{\circ}37'50''E$ 138.80 feet to a point on said West right of way line; thence $N00^{\circ}21'57''E$ 80.00 feet along said West right of way line to the Point of Beginning. Containing 11,104 square feet (0.25 acres). Subject to easements, restrictions, and rights-of-way of record.

CONSERVATION EASEMENT AREA "B" DESCRIPTION: Part of the North 1/2 of Section 17, Town 3 North, Range 16 West, City of Douglas, Allegan County, Michigan described as: Commencing at the Northeast corner of said Section; thence $S00^{\circ}21'57''W$ 1737.40 feet along the East line of said North 1/2; thence $N89^{\circ}37'50''W$ 33.00 feet to a point on the West right of way line of Ferry Street (66.00 feet wide Public Right of Way) and the Point of Beginning; thence continuing $N89^{\circ}37'50''W$ 118.80 feet; thence $S00^{\circ}21'57''E$ 80.00 feet; thence $S89^{\circ}37'50''E$ 118.80 feet to a point on said West right of way line; thence $S00^{\circ}21'57''W$ 80.00 feet along said West right of way line to the Point of Beginning. Containing 9,504 square feet (0.22 acres). Subject to easements, restrictions, and rights-of-way of record.



Sheet 2 of 7

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EXHIBIT "D"

CONSERVATION EASEMENT AREA "E" DESCRIPTION: Part of the NE 1/4 of Section 17, Town 3 North, Range 15 West, City of Douglas, Allegan County, Michigan described as Commencing at the East 1/4 corner of said Section; thence S80°00'00"W 1,521.42 feet along the East-West 1/4 line of said Section; thence N00°00'00"W 33.00 feet to a point on the North Right of way line of 31st Avenue (56.00 feet wide Public Right of Way); thence continuing N00°00'00"W 173.47 feet; thence Northwesterly 87.04 feet along a 167.00 foot radius curve to the left, the chord bearing N14°45'55"W 86.06 feet; thence Northwesterly 122.23 feet along a 233.00 foot radius curve to the right, the chord bearing N14°42'46"W 121.80 feet; thence N00°26'18"E 278.36 feet; thence Northwesterly 60.70 feet along a 92.00 foot radius curve to the left, the chord bearing N18°27'50"W 59.61 feet; thence N51°23'02"E 88.01 feet; thence Southwesterly 105.69 feet along a 158.00 foot radius curve to the right, the chord bearing S18°43'30"E 101.73 feet; thence N50°26'18"W 154.33 feet; thence S89°33'42"E 44.06 feet; thence Northwesterly 58.73 feet along a 267.00 foot radius curve to the left, the chord bearing N84°08'13"E 58.61 feet to the Point of Beginning; thence Northwesterly 49.98 feet along a 138.95 foot radius curve to the right, the chord bearing N41°16'27"W 48.72 feet; thence Northwesterly 30.26 feet along a 20.23 foot radius curve to the right, the chord bearing N15°59'56"E 22.65 feet; thence Northwesterly 196.03 feet along a 523.53 foot radius curve to the right, the chord bearing N47°23'23"E 196.01 feet; thence Northwesterly 55.34 feet along a 285.33 foot radius curve to the right, the chord bearing N63°35'07"E 59.83 feet; thence Southwesterly 100.50 feet along a 58.06 foot radius curve to the right, the chord bearing S70°20'34"E 68.42 feet; thence Southwesterly 65.15 feet along a 46.43 foot radius curve to the left, the chord bearing S72°02'22"E 58.95 feet; thence Northwesterly 33.22 feet along a 23.50 foot radius curve to the left, the chord bearing N50°32'42"E 30.52 feet; thence Northwesterly 79.73 feet along a 68.53 foot radius curve to the right, the chord bearing N43°41'17"E 75.31 feet; thence Southwesterly 32.72 feet along a 30.77 foot radius curve to the right, the chord bearing S78°50'20"E 31.70 feet; thence S47°50'51"E 16.29 feet; thence Southwesterly 28.00 feet along a 28.81 foot radius curve to the left, the chord bearing N89°41'35"E 94.36 feet; thence Northwesterly 42.91 feet along a 94.89 foot radius curve to the left, the chord bearing N72°50'40"E 42.83 feet; thence Northwesterly 54.39 feet along a 70.46 foot radius curve to the right, the chord bearing N61°15'52"E 53.50 feet; thence Southwesterly 30.67 feet along a 23.17 foot radius curve to the right, the chord bearing S54°10'33"E 28.46 feet; thence Southwesterly 82.62 feet along a 70.40 foot radius curve to the right, the chord bearing S23°51'38"E 82.62 feet; thence Southwesterly 38.30 feet along a 54.67 foot radius curve to the left, the chord bearing S43°53'12"E 35.38 feet; thence Southwesterly 55.18 feet along a 53.36 foot radius curve to the right, the chord bearing S37°42'28"E 52.76 feet; thence Southwesterly 104.20 feet along a 488.51 foot radius curve to the right, the chord bearing S09°10'22"E 38.64 feet; thence Southwesterly 51.3 feet along a 141.51 foot radius curve to the left, the chord bearing S13°09'59"W 51.10 feet; thence Southwesterly 45.86 feet along a 43.32 foot radius curve to the right, the chord bearing S23°29'29"W 43.58 feet; thence Southwesterly 21.57 feet along a 104.86 foot radius curve to the left, the chord bearing S46°01'45"W 21.52 feet; thence Southwesterly 32.63 feet along a 28.61 foot radius curve to the right, the chord bearing S50°07'56"W 30.91 feet; thence Southwesterly 73.80 feet along a 96.76 foot radius curve to the left, the chord bearing S58°49'31"W 72.02 feet; thence Southwesterly 98.29 feet along a 69.67 foot radius curve to the right, the chord bearing S87°30'21"W 98.34 feet; thence Southwesterly 72.07 feet along a 117.00 foot radius curve to the left, the chord bearing N85°58'13"W 147.12 feet; thence Northwesterly 88.42 feet along a 35.36 foot radius curve to the left, the chord bearing N77°00'45"W 87.37 feet; thence Northwesterly 225.28 feet along a 159.62 foot radius curve to the right, the chord bearing N72°06'49"W 216.89 feet; thence Northwesterly 87.04 feet along a 167.00 foot radius curve to the left, the chord bearing N78°21'27"E 73.14 feet; thence Northwesterly 161.40 feet; thence Southwesterly 129.42 feet along a 150.00 foot radius curve to the left, the chord bearing S51°45'19"E 125.45 feet; thence Northwesterly 44.23 feet; thence Southwesterly 155.57 feet along a 400.00 foot radius curve to the left, the chord bearing S87°47'55"E 154.58 feet; thence Northwesterly 359.16 feet along a 745.00 foot radius curve to the left, the chord bearing N00°37'59"W 188.01 feet; thence Southwesterly 359.16 feet along a 745.00 foot radius curve to the left, the chord bearing S83°51'46"W 355.69 feet; thence Southwesterly 36.27 feet along a 267.00 foot radius curve to the right, the chord bearing S73°56'38"W 36.24 feet to the Point of Beginning. Containing 232,338 square feet (5.33 acres). Subject to easements, restrictions, and rights-of-way of record.

Sheet 6 of 7

LINE	LENGTH	BEARING
L34	161.40	N70°01'08"E
L35	44.23	S76°39'24"E
L36	38.66	N81°03'35"E
L37	162.73	S70°03'08"W

CURVE	LENGTH	RADIUS	CHORD BEARING	CHORD
C44	73.29	333.00	N16°21'27"E	73.14
C45	129.42	150.00	S91°58'19"E	125.45
C46	155.57	400.00	S87°47'55"E	154.58
C47	270.90	95.00	N00°37'59"W	188.01
C48	359.16	745.00	S83°51'46"W	355.69
C49	36.27	267.00	S73°56'38"W	36.24

1" = 300'

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GRAND RAPIDS
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Grand Rapids, MI 49503
PHONE: 616.575.5195

HOLLAND
347 Hoover Boulevard
Holland, MI 49423
PHONE: 616.393.6449

Vehicle and Pedestrian Access Plan
WESTSHORE GOLF REDEVELOPMENT P.U.D.
PART OF SECTION 17, T3N, R16W,
CITY OF DOUGLAS, ALLEGAN COUNTY

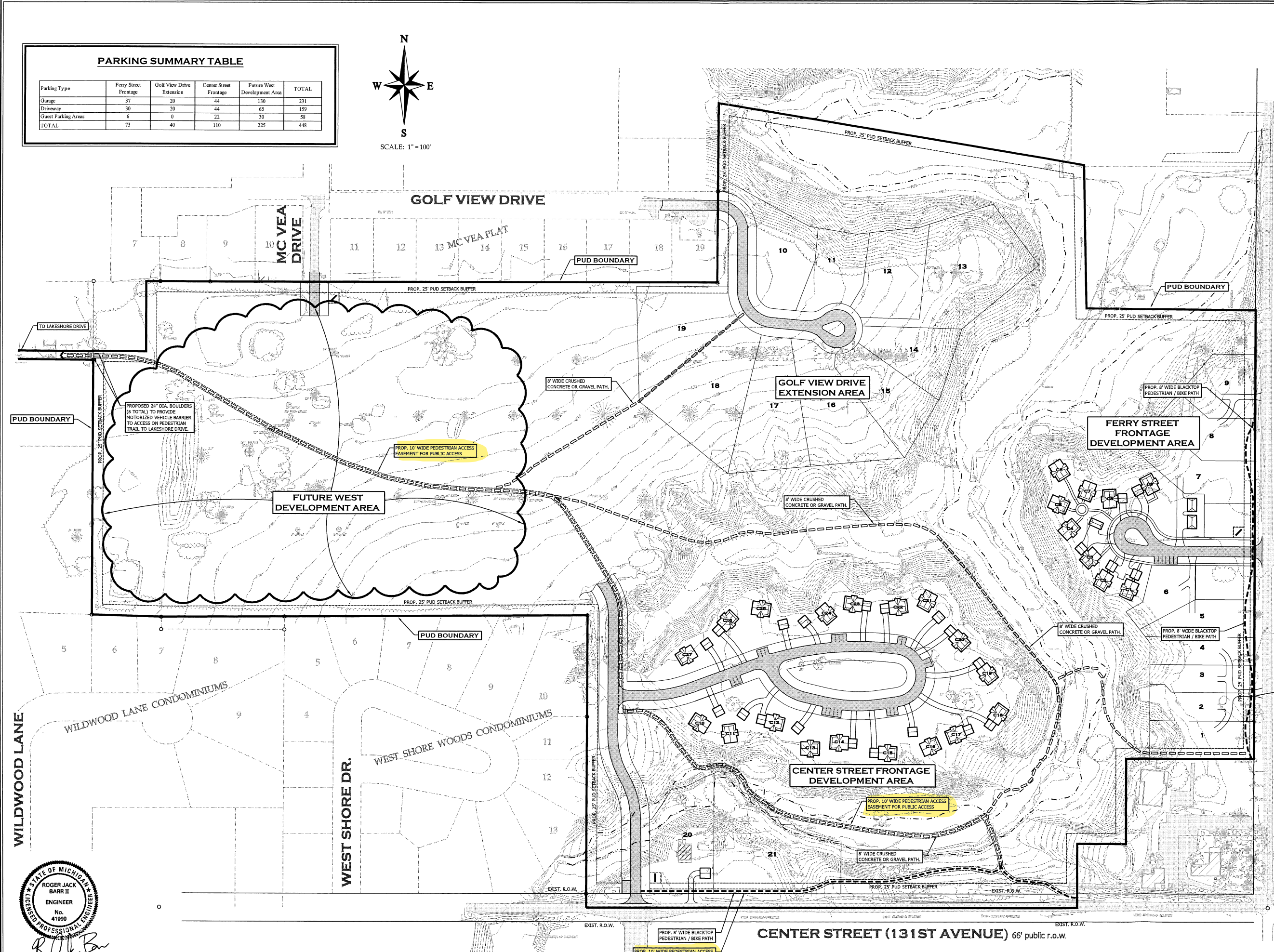
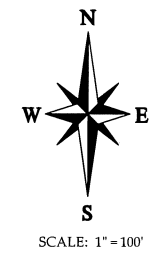
DOUGLAS PROPERTY DEVELOPMENT, LLC
Attention: **Kevin Einfeld**
5510 Cascade Road SE, Suite 21
Grand Rapids, Michigan 49546
Phone: (616) 458-8505

checked	date	no.	comment	date	no.	comment	date	no.	comment
	12/21/11	1	PRELIMINARY PUD SUBMITTAL	12/21/11	1	PRELIMINARY PUD SUBMITTAL			
	03/07/12	2	PRELIMINARY PUD SUBMITTAL	03/07/12	2	PRELIMINARY PUD SUBMITTAL			
	03/28/12	3	PRELIMINARY PUD SUBMITTAL	03/28/12	3	PRELIMINARY PUD SUBMITTAL			
	04/20/12	4	FINAL PUD SUBMITTAL	04/20/12	4	FINAL PUD SUBMITTAL			
	05/21/12	5	FINAL PUD SUBMITTAL	05/21/12	5	FINAL PUD SUBMITTAL			
	06/28/12	6	FINAL PUD SUBMITTAL	06/28/12	6	FINAL PUD SUBMITTAL			
	07/25/12	7	FINAL PUD SUBMITTAL	07/25/12	7	FINAL PUD SUBMITTAL			
checked by: RJB	date: 12/21/11			date: 11/29/11					

project no.: 11200074

C-109

Parking Type	Ferry Street Frontage	Golf View Drive Extension	Center Street Frontage	Future West Development Area	TOTAL
Garage	37	20	44	130	231
Driveway	30	20	44	65	159
Guest Parking Areas	6	0	22	30	58
TOTAL	73	40	110	225	448



STATE OF MICHIGAN
ROGER JACK BARR II
ENGINEER
No. 41990
R. Jack Barr



CENTRE COLLECTIVE

FROM THE BEGINNING

The Centre Collective has been driven by insights uncovered from the *Retail & Housing Target Market Studies* commissioned by the City of the Village of Douglas, the *Douglas Vision*, the *Tri-Community Master Plan*, and feedback from *the community of Douglas*.

Centre Collective

The site rests on 10.4 acres and connects to existing walking and biking trails along its northern and southern borders.

Additional features include:

- 19 single family home sites;
- Mixed-use buildings combining retail, restaurant, and office space with residential lofts;
- Shared amenities such as integrated walkways, a fire pit, and gazebo;
- Convenient access to downtown Douglas, beaches, hiking trails, grocery stores, and more
- 5 sites are currently reserved.



PROJECT TIMELINE & MILESTONES

February 24, 2021:

PUD Proposal to
Planning Commission

2022-2023:

By-right Conditional
Approval from Planning
Commission

2023:

- Re-designed road into a cul-de-sac;
- Addition of boardwalk connecting St Peter's Dr and West Shore Ct;
- Secured construction financing from West Michigan Community Bank;
- 5 single family home sites have been reserved

15/16 conditions satisfied

REMAINING CONDITION

The remaining item is #9:

The applicant shall take the necessary steps to petition for the vacation of the Pleasant Street Right of Way in accordance with the procedures outlined in the Land Division Act. This step is required to be completed concurrently or prior to the City Council's consideration of the final condominium plan approval, or in a manner found satisfactory by the City Attorney.

Source: February 5 City Council Agenda Packet

Steps We Have Taken Towards Completion:

- Fall 2023: 100% preliminary consent from St Peter's Subdivision Plat Owners to release Lots 10-14 (owned by KRE West Centre) from covenant restrictions
- January 12, 2024: Submitted the application for the vacation of the Pleasant St ROW
- January 25, 2024: Filed a **procedural** Allegan County Circuit Court action to finalize the plat amendment

WORKFORCE HOUSING COLLABORATION

- **Problem:** 32% of daytime workers do not or cannot live here. –Retail Study, p12
- **Solution:** Build a variety attainably priced housing units
- **How?** Through a collaborative effort between The City of Douglas, Housing Next, Michigan Growth Advisors, Kerr Real Estate, and the MEDC to drive down significant costs from the project's budget.
- **Why?** Macroeconomic conditions of elevated interest rates, rising construction costs, and labor shortages



COMMUNITY-WIDE BENEFITS

- Increase in tax revenue for public entities such as school, library, fire district, and the city
- Attainable ‘missing middle’ housing for year-round residents
- Connection to Beach to Bayou trail and walkways along West Shore Court & St. Peter’s Drive
- Mixed-use live/work-spaces
- Community gathering spaces (gazebo, fire pit, outdoor dining)
- Addition of small, locally owned businesses → seasonal and year-round jobs



Goal 1

Douglas will facilitate the development of a diversity of housing types to meet the needs of current and projected future populations.

Goal 2

Douglas will diversify its housing stock to encourage more people to seek long term, permanent residency within the City.

Goal 3

Douglas will be a connected community through safe off-street walking and biking facilities and through the provision and maintenance of parks and recreation facilities.

How can we inspire this
way of living in
Douglas?

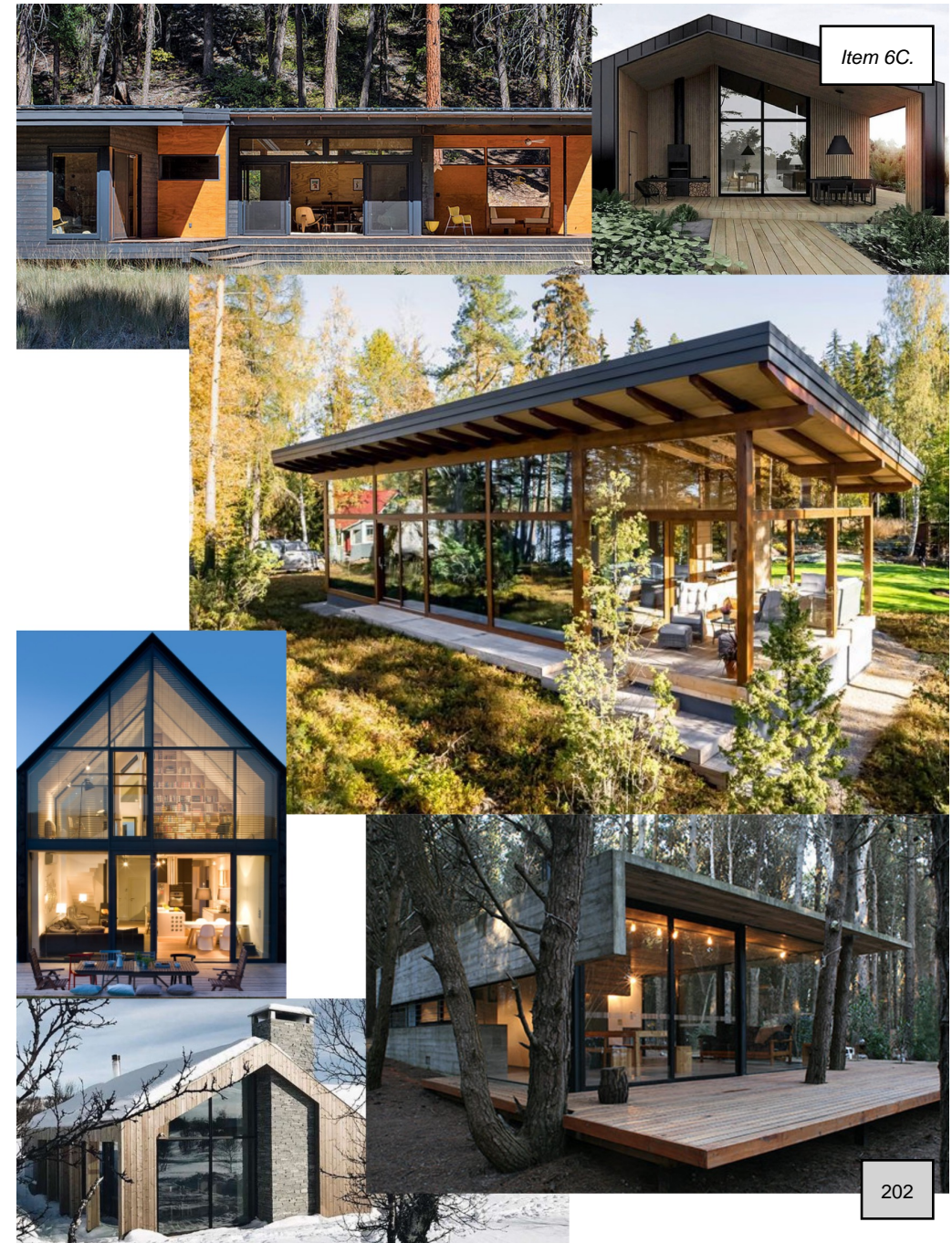
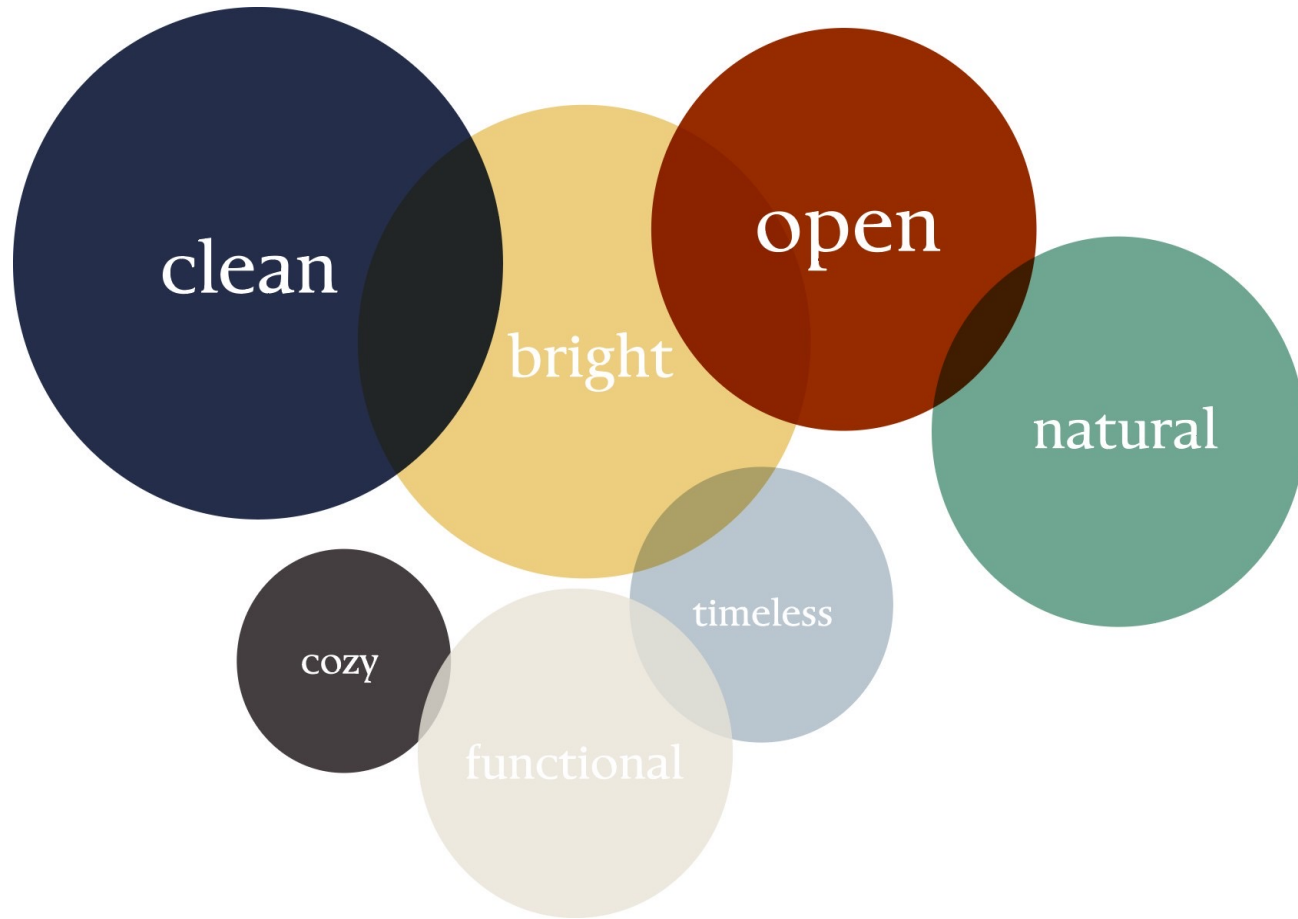
Item 6C.

hygge

[ˈhue-gahˈ]
(verb / Danish)

To feel warmth, cosiness, comfort,
snug;
a sense of wellbeing, belonging,
contentment, togetherness,
intimacy, happiness.

DESIGN PRINCIPLES & MATERIALS BOARD



Phase II: Mixed-Use

This project represents an opportunity to supply critical ‘missing middle’ housing to Douglas’ year-round residents and daytime workers.

By building upon the existing character and culture of Douglas, together we will create an interconnected community with everlasting value.



Aerial perspective facing north-west

Item 6C.



The mixed-use portion has been designed for a diversity of housing and retail uses, including:

- 1, 2, and 3-bedroom apartments
- +/- 14,000sf of office, restaurant, and other commercial uses

INSIGHTS UNCOVERED: MARKET STUDIES & MASTER PLANS

People want to live here

Given the opportunity, residents who can live here are willing to drive further out for jobs. Market potential is driven by people seeking housing choices but are unable to find any.

32% of our community's daytime workers do not or cannot live here. – Retail Study, p12

Demand Outpaces Supply

“The number of renting households is growing at a faster rate than the number of owners... by the year 2025 they will represent more than half [of all households in Douglas].” Housing Study, p14

“46% of [renters] move every year. This high movership rates... is a major driving force behind the market potential and need for more attached, fore-lease housing formats.” Housing Study, p16

Missing Middle Housing

Luxury waterfront estates and large single-family homes are generally over-built; whereas smaller, more attainable households have all but been ignored.



**The City of
The Village of Douglas
Michigan**

**Target Market Analysis
The HOUSING Study**

together let's create:

An inspired way of living designed to boost both **happiness** and **wellness**.

A vibrant community that cultivates a sense of belonging while providing personal spaces designed to accommodate today's needs and environmental sustainability.

A familiar + happy place to come home to.

thank you



The Village of Friendliness – Since 1870

To: The City of the Village of Douglas City Council

From: Lisa Nocerini, City Manager

**RE: Approval of a date/time for a workshop with Flywheel Companies
(Ryan Kilpatrick)**

Date: July 1, 2024

As you will recall, the City Council approved contracting with Ryan Kilpatrick, owner of Flywheel Companies to hold a workshop with the council to discuss a plan to explore possible options to study affordable/attainable/workforce housing in the City of Douglas.

The workshop is a necessary first step in determining the direction the City Council would like to take in this exploratory phase. I am requesting your consideration for one of the following dates/times for the workshop below:

Monday, July 15th, 2024, at 5:00 p.m.

Monday, July 22nd, 2024, at 5:30 p.m.

I feel that the workshop will require approximately two hours and will be open to the public.

Thank you for your consideration.

Recommended Motion: Motion to approve the date of (July 15th at 5:00 p.m. or July 22nd at 5:30 p.m.) for a workshop with Flywheel Companies to start discussions about affordable/attainable/workforce housing options in the City of Douglas.



MEMORANDUM

REGULAR CITY COUNCIL MEETING

July 1, 2024 at 7:00 PM

TO: City Council

FROM: Lisa Nocerini, City Manager

SUBJECT: Lead Water Service Line Replacement – Sole Source Vendor

On occasion, municipalities encounter projects that make complying with the purchasing policy difficult. With lead service line replacements, the cost varies based on complexity and location, there are numerous locations throughout the City that need replacing, and the coordination of other nearby replacements vary. By using a sole source vendor, the City can rely on one vendor to work with for the duration of the project and receive consistent results, the best price, good response time, and good communication and coordination. Because of these factors, the City Council authorized the use of a sole source vendor for lead service line replacement from January 17, 2023 through June 30, 2023 with an additional authorization on July 5, 2023 through June 30, 2024.

We've found through our past quoting process that we have one bidder consistently responding to our request for quotes, providing the best price, and providing quality service. We've also found a number of contractors aren't willing to quote work for various reasons; however, Unema Plumbing of Holland, Michigan has been consistently responsive to the City of Douglas and generally provides a better price than competitors.

With those factors in mind, I'd like to request that the City of Douglas once again move to a single source vendor for the lead service line replacement project for Fiscal Year 24/25 so we may meet the State of Michigan's Lead and Copper Rule objectives to replace five percent of our lead containing service lines per year with a completion date of 2041. The purchasing policy allows sole source bidding when the unique characteristic of the needs of the City are not susceptible to competitive bidding.

The City has budgeted \$100,000 in FY 24/25 for lead service line replacements in the 450-000-974 Water & Sewer Fund - Construction Account.

I recommend City Council consider approving Unema Plumbing of Holland, Michigan as a preferred sole source vendor for lead service line replacements for Fiscal Year 24/25 or until the budget is exhausted.

williams&works

engineers | surveyors | planners

MEMORANDUM

To: Douglas City Council Members
Date: June 28, 2024
From: Tricia Anderson, AICP
RE: **Westshore PUD Internal Trailways**

Mr. Richard Dyk, representing the developer (BDR, Inc.), has applied for what we have determined, at the time of application, to be an amendment to the Westshore PUD. The Westshore PUD, when adopted, contained the developer's obligation to construct internal and external pathways, per the plan dated July 25, 2012, which is the site plan referenced and adopted as part of Ordinance 03-2012, the Westshore PUD.

The attached Williams & Works memorandum that was included in the June 13, 2024, Planning Commission packet, indicates two requests within the proposed amendment:

- To finalize the location of the internal pathways
- To change the designation of certain sections of the pathways from public to private.

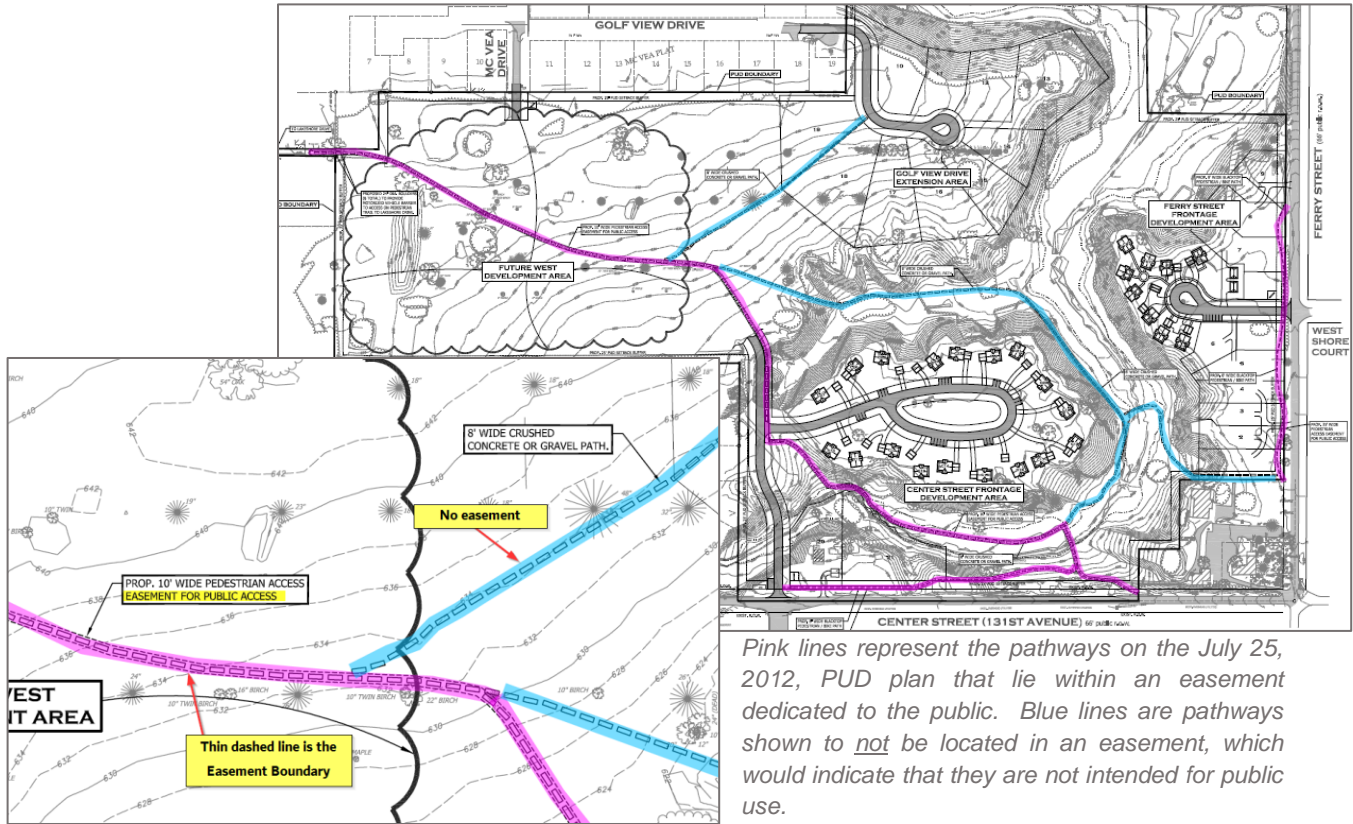
At the June 13, 2024 meeting, the Planning Commission heard comments from the public related to this request, which were a mix of opposition and support of the public/private designation ask. As noted in the City Attorney's memorandum, the Planning Commission made the following motion:

Balmer moved with support from Seibert, to forward a recommendation to City Council for all proposed pedestrian pathways, as required in the Westshore PUD (Ordinance 03-2012), to remain public in designation.

The Planning Commission ultimately voted to forward this recommendation to the City Council, with one member abstaining from the vote. It should be noted that the motion did not reflect a collective decision on the proposed location of the pathways, which was part of the request.

A follow-up meeting with the applicant revealed information that should have been presented to the Planning Commission, but at the time, it was not realized. This information includes the fact that the July 25, 2012 plan set, as adopted as an integral part of the Westshore PUD

Figure 1



(Ordinance 03-2012), only showed a portion of the internal pathways within an easement dedicated to the public (see Figure 1).

Plans that are tied to PUD developments are conceptual in nature and are not intended to be exact in terms of locations of building footprints, topography, stormwater management facilities, and in this case, internal pathway locations. Elements that *do* get determined at the time of PUD approval are things like residential density, required open spaces, road connections and extensions, sidewalks, and the designation of whether any of these elements would be public or private. All of these elements are spelled out in a PUD ordinance, that acts much like a development agreement.

The Westshore PUD also spells out the requirement for any changes to the PUD to be reviewed by the Planning Commission and City Council, even if it is deemed a “minor amendment”. This is the request to change the designation of some trails as private was viewed as an amendment that must be reviewed by the Planning Commission and City Council, thus prompting the applicant’s submittal.

As noted in the City Attorney’s memorandum, the information contained within several historic documents related to the Westshore PUD would support the supposition that the blue pathways shown in Figure 1 were not intended to be public. Additionally, the blue pathways are not

shown within an easement intended to be dedicated to the public, which further supports the intent of the 2012 approval to be a mix of public and private pathways.

Mr. Keast expands on the legal implications of the City Council making a decision at the July 1, 2024 meeting related to the internal pathways. From a planning perspective, if it has been determined that the original approval of the PUD, as demonstrated in the Westshore PUD plan set dated July 25, 2012, shows that the designation of the internal pathways was already approved as a mix of public and private, then procedurally, the applicant should withdraw its application for an amendment. The Planning Commission and/or City Council may impose reasonable conditions on decisions made related to the Westshore PUD, however, neither body should impose conditions that would modify the original approval, unless it is part of a request to amend the PUD.

Recommendation

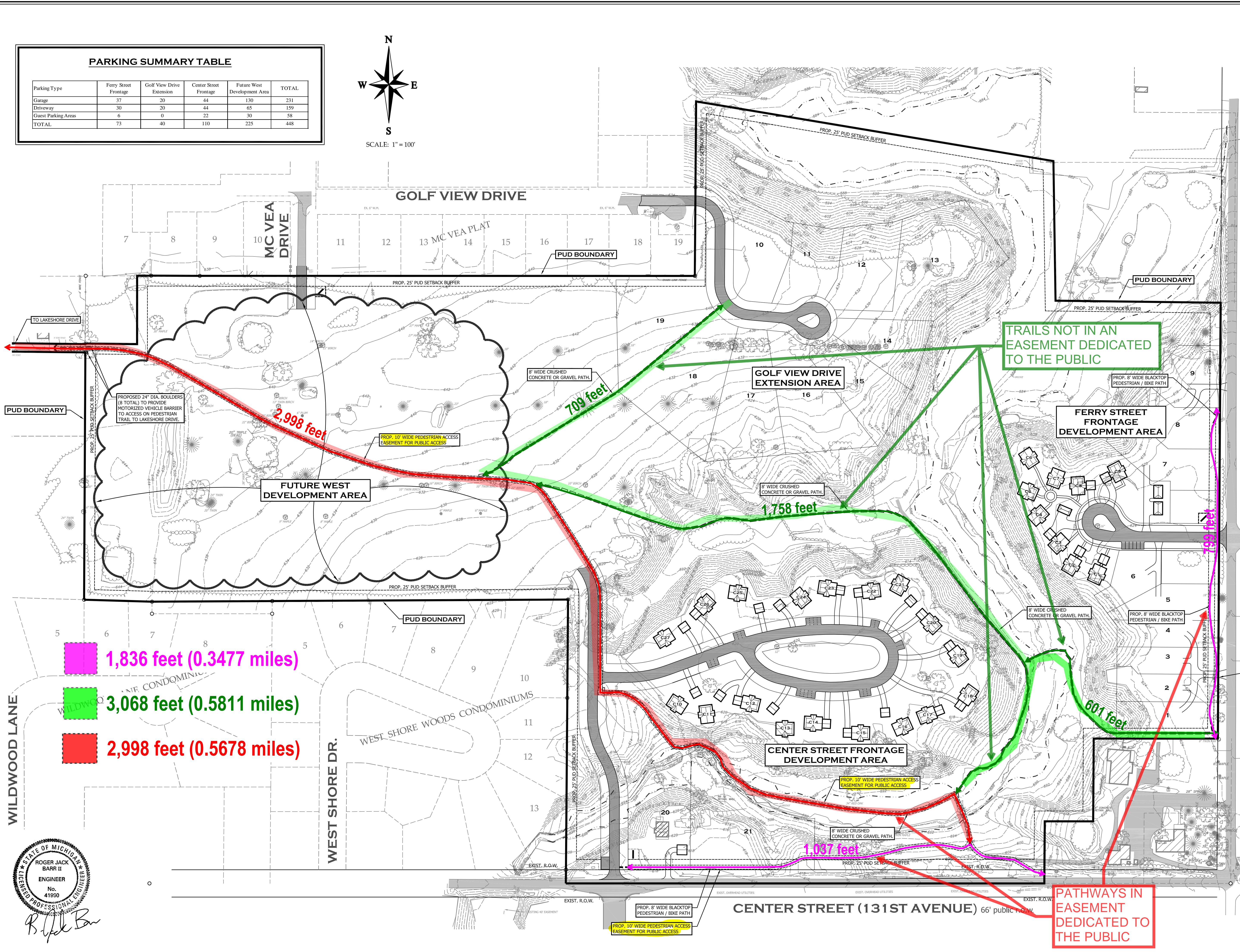
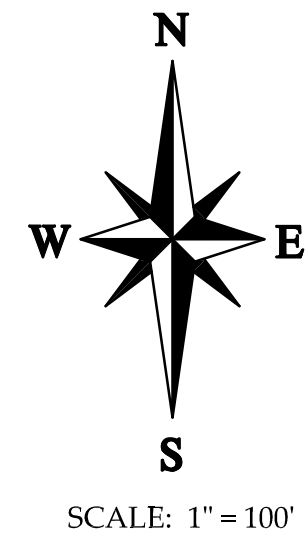
Since the application also included the finalization of the location of the pathways, the City Council may wish to either approve the locations of the public and private pathways, in accordance with the plan submitted with this application, or refer the application back to the Planning Commission, but it should not make any decisions on the public/private designation of the pathways. We would strongly recommend that the Council refer the application back to the Planning Commission, as noted in Mr. Keast's memorandum, to give additional attention to the topics of the pathway locations concerning buffering, safety, and privacy, as well as to allow an opportunity for the Planning Commission to discuss information related to public/private designations as shown on the July 25, 2012, Westshore PUD plan not discussed at the June 13 Planning Commission meeting.

Please feel free to contact me with questions regarding this issue.

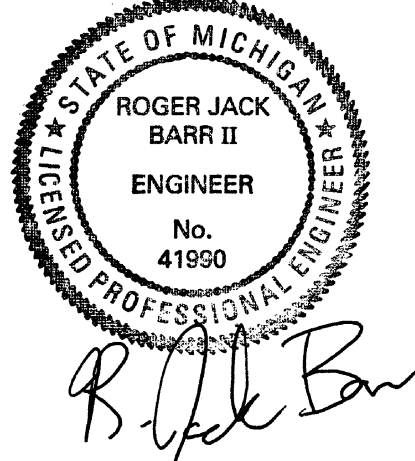
c: Lisa Nocerini, City Manager – City of the Village of Douglas
 Sean Homyen, Planning & Zoning Administrator – City of the Village of Douglas
 David Keast, City Attorney – Plunkett Cooney

PARKING SUMMARY TABLE

Parking Type	Ferry Street Frontage	Golf View Drive Extension	Center Street Frontage	Future West Development Area	TOTAL
Garage	37	20	44	130	231
Driveway	30	20	44	65	159
Guest Parking Areas	6	0	22	30	58
TOTAL	73	40	110	225	448



■ 1,836 feet (0.3477 miles)
■ 3,068 feet (0.5811 miles)
■ 2,998 feet (0.5678 miles)



NEDERVELD
 www.nederveld.com
 800.222.1868
ANN ARBOR
 3025 Miller Road
 Ann Arbor, MI 48103
 PHONE: 734.929.6963
CHICAGO
 1082 National Parkway
 Schaumburg, IL 60173
 PHONE: 312.578.3897
GRAND RAPIDS
 217 Grandville Ave., Suite 302
 Grand Rapids, MI 49503
 PHONE: 616.373.5330
HOLLAND
 347 Hoover Boulevard
 Holland, MI 49423
 PHONE: 616.393.0449

Vehicle and Pedestrian Access Plan
WESTSHORE GOLF REDEVELOPMENT P.U.D.
 PART OF SECTION 17, T2N, R16W,
 CITY OF DOUGLAS, ALLEGAN COUNTY

DOUGLAS PROPERTY DEVELOPMENT, LLC
 Attention:
Kevin Einfeld
 5510 Cascade Road SE, Suite 21
 Grand Rapids, Michigan 49546
 Phone: (616) 458-8505

checked	no.	comment	date	date	date	date	date	date
RIB	1	PRELIMINARY PUD SUBMITTAL	12/12/11	12/12/11	03/07/12	03/28/12	04/20/12	05/21/12
RIB	2	PRELIMINARY PUD SUBMITTAL	03/07/12	03/07/12	03/28/12	04/20/12	05/21/12	06/28/12
RIB	3	PRELIMINARY PUD SUBMITTAL	03/28/12	03/28/12	04/20/12	05/21/12	06/28/12	07/25/12
RIB	4	FINAL PUD SUBMITTAL	04/20/12	04/20/12	05/21/12	06/28/12	07/25/12	
RIB	5	FINAL PUD SUBMITTAL	05/21/12	05/21/12	06/28/12	07/25/12		
RIB	6	FINAL PUD SUBMITTAL	06/28/12	06/28/12	07/25/12			
RIB	7	FINAL PUD SUBMITTAL	07/25/12	07/25/12				
RIB	8	FINAL PUD SUBMITTAL	07/25/12	07/25/12				

Checked by: RIB date: 12/12/11 drawn by: WDS date: 11/29/11
 date: 07/25/12

project no.:
 11200074
C-109
 © 2011 Nederveld, Inc.

williams&works

engineers | surveyors | planners

MEMORANDUM

To: City of The Village of Douglas Planning Commission
Date: June 6, 2024
From: Tricia Anderson, AICP
RE: **Westshore PUD Amendment – Internal Nonmotorized Pathways
 Final Location and Public/Private Designations**

Mr. Richard Dyk, of Douglas Property Development, LLC, has submitted an application for a proposed amendment to the existing Westshore PUD to finalize the location of the non-motorized pathways, and to change the designation of certain sections of the non-motorized pathways from public to private.

Background and History. The Westshore PUD was approved in 2012 in accordance with Article 27, Planned Unit Development District of the City of Douglas Zoning Ordinance and subject to Ordinance 03-2012, the Westshore PUD. One of the standards of PUD approval within Article 27 (Section 27.06), is that the PUD shall result in a “recognizable and substantial benefit to the residents of the PUD and the City, and such benefit would otherwise be unlikely to be achieved”. To satisfy this standard, the Westshore PUD proposed non-motorized pathways throughout the development for the use and enjoyment of the public and the residents of the PUD. As you may know, the developer has not yet satisfied this requirement, with the exception of the exterior non-motorized pathways along Ferry Street and Center Street, which have been constructed and finalized. The interior pathways still remain.

Over the past two years, the applicant has been working with the City Attorney and the Westshore Condominium HOA to design these internal pathways and draft the easement agreements that the pathways will be subject to. A significant amount of concern was expressed by the HOA related to maintenance and liability, particularly since the public would have use of these pathways. The applicant now proposes to designate some of the internal pathways as private to alleviate some of the HOA’s concerns with these areas, with the Westshore Condominium HOA being the responsible party for maintenance and ownership.

Recognizable Benefit. Section 27.03 indicates the eligibility requirements for land to be rezoned to PUD. Part 1 of this section requires the incorporation of a Recognizable and Substantial Benefit:

- 1) *Recognizable and Substantial Benefit. The Planned Unit Development shall result in a recognizable and substantial benefit to the ultimate users of the project and to the community. Such benefit must otherwise be unfeasible or unlikely to be achieved,*

taking into consideration the reasonable and foreseeable detriments of the proposed development and use(s); including, without limitation:

- a. *The long-term protection and/or preservation of natural resources and natural features and/or historical and/or architectural features of a significant quantity and/or quality in need of protection or preservation on a local, state and/or national basis;*
- b. *Reducing to a significant extent the non-conformity of a nonconforming use or structure, i.e., modification of a non-conforming use or structure so that, to a significant extent, it is rendered more conforming, or less offensive, to the zoning district in which it is situated.*

The nonmotorized pathways proposed as part of the Westshore PUD are deemed a recognizable and substantial benefit to the community. Our analysis of the request to designate a portion of the nonmotorized pathways as private begs the question of whether removing the public designation for a portion of the nonmotorized would alter the compliance with the requirement to offer a “recognizable and substantial benefit” to the community. In our view, the vast majority of the nonmotorized pathways remain public, and the burden of maintenance would be on the HOA, whether the designation is private or public, and the standard can still be met with this request. The nonmotorized pathways proposed to be designated public will be the responsibility of the future HOA that will be associated with future condominium development of the western areas.

Procedure. Section 27.12 provides the procedures for amending an existing PUD. Some of these provisions are overridden by language within Ordinance 03-2012, such as procedures for a minor amendment, which under Section 27.12.B would be subject to administrative review and approval. Ordinance 03-2012 requires any change to the Westshore PUD to be reviewed by the Planning Commission, per Section V. Approval Limitations, Subsection D., which reads as follows:

*All conditions contained herein and in the final approved site plan shall be binding upon the Developer, as well as its successors, tenants and assigns. **The conditions may be modified or amended only pursuant to a formal amendment of the PUD approval, approved site plan, and ordinance amendment.** The Project must be constructed and operated, and all properties therein used, in strict compliance with the PUD approval (including this Ordinance and the final approved site plan), **and no deviations can occur without prior formal written approval by the City.** So called minor deviations as provided for within Article 27 of the City’s Zoning Ordinance shall not occur unilaterally by the Developer or its successors, tenants, or assigns. Any deviation without prior formal written approval by the City will constitute a violation of this Ordinance and the City of Douglas Zoning Ordinance.*

Section 27.05 provides procedures for review and approval of new PUDs and major amendments to an existing PUD. Since a rezoning is not part of the proposed amendment, the Planning Commission is not required to hold a public hearing, however, the residents within 300’ of the subject property were provided an courtesy notices that a public meeting will be held to consider the amendment to the PUD concerning the nonmotorized pathways. The Planning

Commission will make a recommendation to the City Council, which will hold the public hearing, per the Michigan Zoning Enabling Act, and will be the final reviewing authority for the amendment.

Recommendation. At the June 13th, 2024 meeting, the applicant will be in attendance to present the proposed amendment, and the Planning Commission is encouraged to take comments from the public, even though it is not holding a public hearing. It is recommended that the Planning Commission take into consideration the information outlined in this memorandum, the memorandum provided by the City Attorney, the applicant and members of the public in making its decision to forward a recommendation to the City Council. If the Planning Commission is inclined to forward a favorable recommendation, we suggest that it be subject to the following conditions, along with any others deemed necessary:

1. Upon City Council approval of the nonmotorized pathway plans and public/private designations, the applicant shall record the easement agreements for said nonmotorized pathways no later than July 31, 2024, in accordance with Resolution No. 11-2024.
2. The applicant shall remove all golf course amenities as required by Ordinance 03-2012 prior to or concurrently with the the construction of the internal pathways, subject to the agreed upon inventory of items to be removed as determined by the Planning & Zoning Administrator.
3. The applicant shall provide a performance bond in the form of an an escrow deposit in the amount determined by the City Engineer equal to the cost to construct the internal pathways, prior to commencing construction of the internal pathways. The City may work with the applicant to move any remaining escrow monies for the external pathways into a new escrow account for the internal pathways, if reimburable funds remain.
4. Upon City Council approval of the nonmotorized pathway plans, the applicant shall submit construction drawings to the City Engineer for review and approval prior to commencing construction on the internal pathways.
5. Any further changes to the nonmotorized pathways shall require the same procedures for approval as an amendment to the Westshore PUD.
6. The applicant shall amend the master deed to include the “must be built” finalized locations of the public and private internal pathways, and provide the City with a recorded copy of the master deed amendment, prior to any final inspections of the internal nonmotorized pathways.

As always, please feel free to contact us with questions regarding this request.

LEGAL MEMORANDUM

TO: All members of the Planning Commission
City of the Village of Douglas

CC: Lisa Nocerini, City Manager
City of the Village of Douglas
Sean Homyen, Planning & Zoning Administrator
City of the Village of Douglas

FROM: Philip Erickson, City Attorney
Plunkett Cooney
David S. Keast, Of Counsel
Plunkett Cooney

DATE: June 3, 2024

RE: Douglas Property Development, LLC (“Developer”)
Westshore PUD
Proposed Public and Private Trail Plan and Easement Agreements

Dear Members of the Planning Commission:

We are writing to provide background information for the Planning Commission’s final review of the requested amendment to the Westshore PUD. This request proposes a change to the public and private designations of the non-motorized trail system required by Ordinance 03-2012, adopted pursuant to Article 27 as an amendment to the City Zoning Ordinance. The proposed amendment to the Westshore PUD will also solidify the final locations of the non-motorized trail system.

Ordinance 03-2012, as amended, determined that a planned unit development (PUD) was appropriate for redevelopment of the former West Shore Golf Course, relying in part upon the commitment of Douglas Property Development, as Developer, to provide the “public benefit” required by Article 27 of the City Zoning Ordinance by constructing within the open space areas of the PUD a network of public and private non-motorized trails.

Ordinance 03-2912 and the Final Westshore PUD Plan did not definitively identify the number, location, public or private nature of each Westshore PUD trail, and it did not address their ongoing maintenance responsibilities. Unfortunately, natural topographic issues; the environmental contamination of the Warnock Drain by a contamination plume originating at the former Haworth Manufacturing site; and the construction of residential housing within the Westshore Condominium all have limited the locations at which trails may rationally be constructed.

Extensive discussions with the Developer, Westshore Condominium Association Board of Directors and the owner of Westshore Condominium unit 1 have produced a tentative agreement that, if approved by the City Council, is expected to result in the Developer's construction of all public and private trails this year, while also facilitating a proposal this summer of a site plan for additional development within the undeveloped portion of the Westshore PUD that would be consistent with the trail locations.

The Overall Trail Route and Map and Internal Trail Easement Agreements included within your packet propose a continuous public non-motorized trail with access from both Center Street and Lakeshore Drive. In the writer's opinion, this achieves the central 2012 objective of the Planning Commission and the City Council. Additional trail segments proposed to be constructed within the Westshore Condominium will be "private", i.e., restricted to the use of Westshore Condominium owners, residents and their guests. Two additional trail segments connecting those Westshore Condominium private trails to the Center Street-Lakeshore Drive public trail also will be private, but may be used by the owners, residents and guests of all residential developments within the Westshore PUD (in other words, the Westshore Condominium and any additional development subsequently approved by the City and constructed within the undeveloped portions of the Westshore PUD).

Interior trails generally will be constructed of crushed stone, except that the Westshore Condominium Association has requested a grass surface. The City will monitor the construction of all trails against the Developer's construction plans on file with the City.

Under this proposal there will be no public trail access from Ferry Street. Our review of the 2012 Plan suggests that the Planning Commission and Council may have expected a Ferry Street access, but this is unclear and the Westshore Condominium Unit 1 trail section was depicted as "private". Because the proposed trail system does not provide for public access from Ferry Street, we have considered it important that the Planning Commission again be consulted. It should be noted that, while the proposed trail configuration does not provide public access from the existing Ferry Street public trail system, the existing public trail section *along* Ferry Street, will remain unchanged.

In our opinion, to now require public trail access from Ferry Street, whether from the Golf View Drive cul-de-sac, Artisan Row Court or another location, would run afoul of several important planning considerations:

1. The private trails within the Westshore Condominium will be a maintenance responsibility of the Westshore Condominium Association. Neither the law nor the Westshore Condominium Master Deed requires that Association maintain public trails within the condominium boundaries, and the Association Board of Directors understandably has expressed a strong aversion to additional maintenance costs [particularly because of the proposed wooden boardwalk structures proposed for wetland crossings]

2. Public trail access in the vicinity of the Artisan Row Court area of the Westshore Condominium Association potentially will materially and negatively impact the safety and privacy of residents in their homes or while enjoying the common elements. Public trail access through the Golf View Drive cul-de-sac area of the Westshore Condominium must pass close to constructed residential units, resulting in similar resident safety and privacy issues.
3. All streets within the Westshore Condominium are private and unsuited to public street parking. If the trail segments within the Westshore Condominium were “public”, members of the public accessing the public trail system from Ferry Street would be required to cross the Westshore Condominium private common elements after parking along Ferry Street or other permissible areas for public parking.

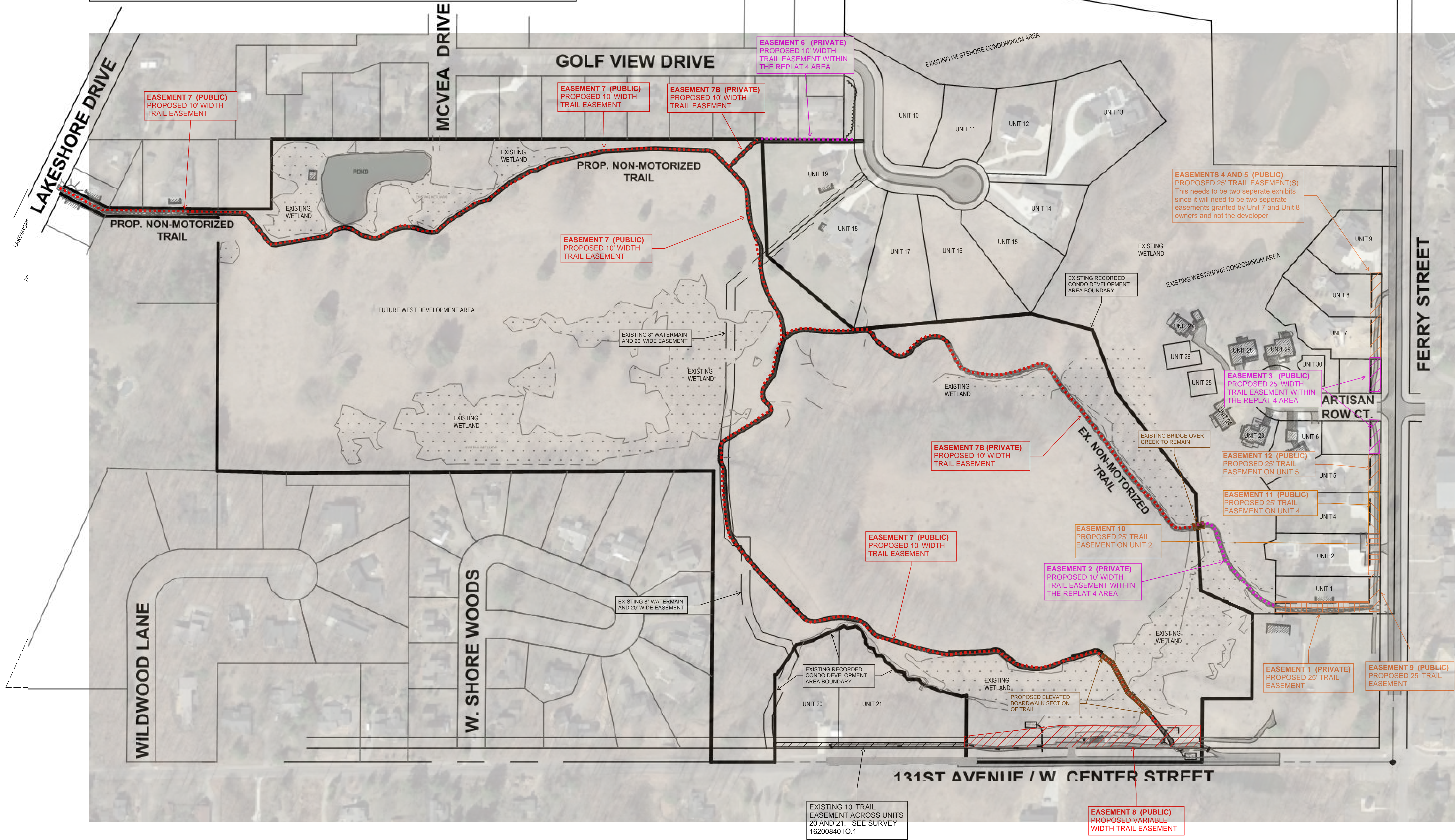
From the City’s perspective, a significant consideration should be that, while the City Engineer will oversee the implementation of the City-approved construction plans, the City WILL NOT incur future trail maintenance costs or requirements under this proposal. The Developer has agreed to assume all such obligations, and to impose them upon the association of owners for any future developments within the Westshore PUD. And the Westshore Condominium Association will be responsible for the maintenance of the common element private trails within the Westshore Condominium.

Respectfully submitted,

s/ David S. Keast, Of Counsel, Plunkett Cooney
Philip Erickson, Plunkett Cooney, City Attorney

Open.20448.43876.33707794-1

2024 - PROPOSED Non-Motorized Trail Configuration + Public and Private Designations



CITY OF THE VILLAGE OF DOUGLAS
ALLEGAN COUNTY, MICHIGAN
ORDINANCE NO. 03 - 2012

**AN ORDINANCE TO AMEND THE CITY OF DOUGLAS ZONING ORDINANCE
AND ZONING MAP TO ESTABLISH THE WEST SHORE GOLF COURSE
REDEVELOPMENT PLANNED UNIT DEVELOPMENT PROJECT.**

The City of Douglas (the "City") Ordains:

Section I. An Amendment to the City of Douglas Zoning Ordinance.

The application received from Kevin Einfeld of Douglas Property Development, LCC (hereinafter referred to as the "Developer") for Planned Unit Development designation for the proposed Westshore Golf Redevelopment Planned Unit Development Project (hereinafter referred to as the "Project") was recommended by the City of Douglas Planning Commission for approval at the July 11, 2012 Planning Commission meeting following a public hearing. The property at issue was previously zoned R-1 PUD, but no PUD ordinance was prepared at that time. This PUD ordinance is enacted pursuant to Article 27 of the City of the Village of Douglas Zoning Ordinance.

Section II. Legal Description.

The legal description of the Project is as follows:

West Shore Golf PUD Description:

Part of the North 1/2 of Section 17, Town 3 North, Range 16 West, City of Douglas, Allegan County, Michigan described as: Commencing at the Northeast corner of said Section; thence S00°21'57"W 1203.72 feet along the East line of said North 1/2 to the Point of Beginning; thence N89°17'50"W 431.89 feet; thence N00°53'13"W 337.43 feet; thence N80°31'00"W 874.96 feet; thence S00°25'11"W 421.70 feet along the East line of McVea Plat and the extension thereof; thence N89°59'26"W 1471.32 feet along the South line of said Plat and its extension; thence S00°17'10"W 164.97 feet; thence N89°23'53"W 261.35 feet to a point on the East line of Lot 8, Trumbull's Addition to the Village of Douglas; thence N63°36'10"W 112.61 feet; thence S26°11'58"W 20.00 feet along the Southeast line of Lakeshore Drive; thence S63°36'10"E 117.13 feet to a point being 5.00 feet Northeasterly along the East line of said Lot from the Southeast corner of said Lot 8; thence S89°23'53"E 266.04 feet; thence S00°17'10"W 597.78 feet; thence S88°20'23"E 164.16 feet along the North line of Wildwood Lane to the North and South 1/4 line of said Section; thence N89°41'57"E 1004.98 feet along North line of West Shore Woods Condominiums and the extension thereof; thence S00°27'10"W 686.00 feet along the East line of said Condominiums; thence N90°00'00"E 1155.80 feet along said South line; thence N00°21'57"E 150.00 feet; thence N90°00'00"E 117.00 feet; thence N00°21'57"E 200.00 feet; thence N90°00'00"E 333.00 feet; thence N00°21'57"E 1052.88 feet along the East line of said North 1/2 to the point of beginning. Subject to highway right-of-way for 131st Avenue over the South 33.0 feet thereof, and for Ferry Street over the East 33.0 feet thereof. Also subject to easements, restrictions, and rights-of-way of record.

Also, part of the Northeast 1/4 of Section 17, Town 3 North, Range 16 West, City of Douglas, Allegan County, Michigan described as: Commencing at the East 1/4 corner of said Section; thence

S90°00'00"W 1005.80 feet along the East and West 1/4 line of said Section to the Point of Beginning; thence S90°00'00"W 300.00 feet; thence N00°27'10"E 300.00 feet to Reference Point "B"; thence N00°27'10"E 15 feet, more or less, to the centerline of a drain; thence Southeasterly 380 feet, more or less, along said centerline to a line which bears N00°27'10"E from the Point of Beginning; thence S00°27'10"W 17 feet, more or less, to Reference Point "C", said Reference Point being S51°10'45"E 175.00 feet and S72°47'35"E 170.00 feet from said Reference Point "B"; thence S00°27'10"W 140.00 feet to the point of beginning. Subject to highway right-of-way for 131st Avenue (Center Street) over the South 33.0 feet thereof. Also subject to easements, restrictions, and rights-of-way of record.

Also, part of the Northeast 1/4 of Section 17, Town 3 North, Range 16 West, City of Douglas, Allegan County, Michigan described as: Commencing at the East 1/4 corner of said Section; thence S90°00'00"W 1305.80 feet along the East and West 1/4 line of said Section to the Point of Beginning; thence S90°00'00"W 300.00 feet to the East line of West Shore Woods Condominiums; thence N00°27'10"E 100.00 feet along said East line to Reference Point "A"; thence N00°27'10"E 24 feet, more or less, to the centerline of a drain; thence Northeasterly 370 feet, more or less, along said centerline to a line which bears N00°27'10"E from the Point of Beginning; thence S00°27'10"W 15 feet, more or less, to Reference Point "B", said Reference Point being N56°26'58"E 361.87 feet from said Reference Point "A"; thence S00°27'10"W 300.00 feet to the point of beginning. Subject to highway right-of-way for 131st Avenue (Center Street) over the South 33.0 feet thereof. Also subject to easements, restrictions, and rights-of-way of record.

Contains 77.3 acres more or less.

Subject to any easements, restrictions or rights of way of record.

Section III. General Provisions.

The following provisions shall hereby apply to the project, in addition to those provisions outlined in Article 27 of the City of the Village of Douglas Zoning Ordinance.

Section IV. Purpose.

The Project occupies approximately 77.3 acres in the City. The Project will be a site condominium development containing 48 detached single family dwelling units. Not less than 65% of the property is to be preserved as open space. The Planned Unit Development technique has been chosen by the Developer to give it and the eventual owners of each unit more control over the Project's aesthetics and appearance. This development technique provides the developer with the ability to develop the Project in a manner to meet market expectations where more traditional mechanisms such as creating subdivision plats do not.

The regulations contained herein are established to define the procedures necessary to ensure high quality development in the Project. Additionally, they are designed to achieve integration of this development with adjacent land uses.

Section V. Approval Limitations.

A. The provisions of this Ordinance are not intended as a substitute for the City of

the Village of Douglas Zoning Ordinance and the Final PUD Plan, nor do they in any way relieve the developer from obtaining all approvals and permits required by the City, except as otherwise expressly provided herein. In the event that a development issue or site plan element is not expressly addressed by this ordinance, the specifications and requirements of the City of the Village of Douglas Zoning Ordinance shall apply. Furthermore, all other City ordinances shall still govern the Project where applicable.

B. Except as expressly otherwise provided herein, the Developer and his assigns must meet all applicable provisions, ordinance requirements, and regulations of City of Douglas, as well as federal and state law, and must obtain all necessary approvals from state and county governmental agencies that are required for construction, operation, or use.

C. This PUD approval is expressly contingent upon all conditions of approval herein remaining fully effective and valid. If any condition imposed herein is determined to be illegal or contrary to law as a result of a successful legal challenge by the Developer or its assigns, or any other party, the City reserves the right to review the entire Project under the PUD provisions of the City of Douglas Zoning Ordinance, and further, to withdraw its approval of this PUD if the City finds that, absent the effect of any condition imposed herein, the PUD no longer meets the standards for PUD approval contained in the Zoning Ordinance.

D. All conditions contained herein and in the final approved site plan shall be binding upon the Developer, as well as its successors, tenants and assigns. The conditions may be modified or amended only pursuant to a formal amendment of the PUD approval, approved site plan, and ordinance amendment. The Project must be constructed and operated, and all properties therein used, in strict compliance with the PUD approval (including this Ordinance and the final approved site plan), and no deviations can occur without prior formal written approval by the City. So called minor deviations as provided for within Article 27 of the City's Zoning Ordinance shall not occur unilaterally by the Developer or its successors, tenants, or assigns. Any deviation without prior formal written approval by the City will constitute a violation of this Ordinance and the City of Douglas Zoning Ordinance.

E. This approval document shall be recorded with the Allegan County Register of Deeds by the Developer prior to construction occurring on site and shall run with and bind the lands involved. Copies of this recorded document shall be supplied by the Developer to the City of Douglas Clerk.

F. Failure to comply with the site plan or any condition of approval herein shall be deemed to be both a nuisance per se and a violation of the City of Douglas Zoning Ordinance.

G. Prior to recording a copy of this document as specified in Section II(E) hereof, the

Developer shall type the following statement onto the end of this document (or add an additional page to the document) as follows, and shall sign and date the same:

"I, Kevin Einfeld, have fully read the above PUD ordinance amendment, understand its provisions and fully agree with all requirements and conditions contained in the same, on behalf of myself and my assigns, successors and transferees in and to the property involved."

Section VI. Site Condominium Documents and Plans.

A. Specific controls relating to architectural elements, common elements of the site condominium project, construction materials, size and space requirements, improvements and out buildings, specific prohibitions and rules of conduct shall be governed by site condominium bylaws and master deed. These restrictions shall become part of this Ordinance by reference.

B. The Project shall be developed exactly in accordance with the site plan approved and signed by the City. The site plan shall indicate the approximate location of each building envelope and shall provide appropriate measurements demonstrating compliance with Section 16.25 of the Zoning Ordinance. Engineering plans and documents relating to utilities, topography, drainage, and the survey of each phase of the Project shall be reviewed and approved by the City Engineer. Approval of these documents shall be based upon their meeting the requirements of the Zoning Ordinance and also meeting recognized, acceptable engineering standards and practices. Once it has been determined that the plans have met City requirements, the City Engineer shall sign and mark these plan documents as "Approved," and forward them to the Developer. Only approved plan documents shall be recorded with the appropriate county and state agencies.

C. The number of building sites may be reduced or consolidated within the Project only after the review by and written approval of the Zoning Administrator. The proposed changes to the site/survey plan to reduce or consolidate building sites shall be reviewed by the Zoning Administrator to ensure compliance with the City of Douglas Zoning Ordinance, this PUD Ordinance, and any other requirements. Once approved by the Zoning Administrator, the amended site/survey shall then be recorded with the Allegan County Register of Deeds Office and the appropriate state agencies by the Developer at his cost. A copy of the recorded site/survey plan shall be forwarded to the City Clerk, so that accurate files regarding the development can be maintained.

Section VII. Permitted Uses.

The permitted uses for the Westshore Golf Course Redevelopment PUD are as follows:

A. Single Family Residences.

B. Accessory buildings customarily incidental to a single family residence, subject to the provisions of the Final Approved PUD Submittal, attached hereto as Exhibit (X).

C. Signs. All signs for the Project shall conform with the City of Douglas Sign Ordinance (Ordinance 111-D).

Section VIII. Design Guidelines, Requirements and Limitations.

The Project shall be developed in exact accordance with the site plan approved by the City and the narrative documentation provided within the Final approved Submittal for PUD. No alterations, expansions or additions may occur as to the Project without a formal amendment to this Ordinance, unless expressly otherwise authorized herein.

A. Maximum Number of Residential Units - The maximum number of single-family detached site condominium units within the Project shall be limited to forty six (46) units until such time as the developer submits a revised PUD plan to be reviewed by the City Planning Commission in accordance with the standards of Article 24 and 27 of the City of Douglas Zoning Ordinance and approved by the Douglas City Council.

Section IX. Private Street Development.

A. The Developer shall submit a street construction, maintenance, and pavement plan consistent with Article 18 of the Zoning Ordinance. The Developer may establish private streets to serve the Project provided the roads are constructed in accordance with the City of Douglas engineering requirements and standards for private streets and the following specifications:

1. All grades shall be sufficient to allow safe ingress/egress of emergency vehicles.
2. The private streets shall be posted with signs stating the street names. These signs shall be consistent with Allegan County Road Commission standards and requirements and shall be installed at the Developer's cost.
3. Any private street shall intersect any public road at a 90 degree angle or a 180 degree angle where appropriate.
4. Copies of any permits required by the Allegan County Road Commission to connect the private street to any public road shall be provided to the City Zoning Administrator by the Developer.

B. The Developer of the Project shall provide a disclosure statement on all property deeds to all owners of the private street, all those who utilize the private street and all persons securing a building permit to construct a building or structure served by the private street, by applying for and securing a building permit for construction of a building or structure that utilizes the private street, all such persons

shall use the private street at their own risk and the City (and its employees, officials, and agents) shall not be responsible for any aspect of the private street.

C. It shall be the responsibility of the Developer and its successors or the individual property owners to fully maintain and keep the private access street in good repair at all times and to ensure that snow and ice is removed in a timely fashion during the winter.

D. No combustible building materials may be erected on the Project until a temporary access road and operable fire hydrants are constructed to within 150 feet of the furthest point of a structure. Such road shall be a minimum 24 feet wide and be able to support 20 tons on a single axle with dual wheels and standard road tires.

Section X. Temporary Buildings.

No structure of a temporary nature; trailer, tent or construction shack shall be constructed, placed or maintained within the Project except accessory to and during construction of any building or infrastructure improvement.

Section XI. Easements

Prior to any construction occurring, the Westshore Golf Course Redevelopment PUD shall provide recorded copies of all permanent easements providing public access to trailways and/or conserving open space on the site. These easements have been illustrated on the site plan dated _____.

Section XII. Utilities.

A. Water and Sewer - The Project will be served by municipal sewer and water and each individual unit shall be serviced by a private lateral. Such systems shall be designed, installed, and maintained pursuant to all applicable requirements of the City of Douglas and the Kalamazoo Lake Sewer and Water Authority.

B. Stormwater Drainage - In lieu of requiring that an Act 433 agreement or a drainage district be established with the Allegan County Drain Commissioner, City of Douglas has agreed to approve the site plan for the Project so long as the Project (and any and all portions thereof) always complies with the City of Douglas Zoning Ordinance (as that ordinance may be amended from time to time, as well as any successor ordinance or ordinances). Accordingly, the property owner's association (the "Association") and all landowners within the Project ("Co Owners") are required to ensure the proper installation and permanent maintenance of any and all storm drainage and water retention systems, pipes, ponds, and facilities for the Project (collectively, the "Facilities") shown on the approved site plan or as otherwise required by the City of Douglas Zoning Ordinance (as that ordinance may be amended from time to time, as well as any successor ordinance or ordinances, all of which shall collectively be referred to hereinafter as the "Zoning Ordinance"). Such

requirements and obligations of the Association and Co-Owners include, but are not necessarily limited to, the following:

1. Maintenance and repair regarding the following items shall be done on a regular basis and in such fashion as to ensure that all components of the Facilities function properly at all times:

- (a) Sediment removal;
- (b) Erosion control;
- (c) Ensuring constant structural integrity of the physical systems; and
- (d) Designate access to the facilities.

2. The City (including its designated officials, officers, agents, and contractors) shall have the right to physically inspect all aspects of the Facilities at all reasonable times, or any other times if, in the opinion of the City, there is a threat to the public health, safety, or welfare.

3. Buildings, structures, landscaping, trees, or similar items shall not be installed, planted, or placed over any portion of the Facilities without prior written approval from the City.

4. The Association and Co-Owners shall supply the City with a permanent recordable easement (in a form acceptable to the City) regarding the following after installation and within 60 days of the date requested by the City for the following:

- (a) Storm sewer pipes;
- (b) Basins;
- (c) Spillways;
- (d) Waterways; and
- (e) Designated access routes

5. The City shall be supplied with an engineer's "as-built" certification to certify that the Facilities as constructed and installed matches the approved design. The City shall also be supplied with a reduced copy of the approved site plan graphically showing the Facilities, together with any and all easements therefore.

6. The City shall be supplied with a permanent easement or irrevocable license allowing the City (as well as its designated officials, officers, agents, and contractors) to have access between the public road right-of-way to any and all portions of the Facilities.

7. Should the Facilities not be properly installed, maintained, and/or repaired, in compliance with all of the requirements of this Section XII.B, the approved site plan, and the Stormwater Ordinance (whether due to the fault or neglect of the developer, the Association, and/or the Co-Owners), and any such noncompliance or deficiency shall not have been fully remedied within 30 days of the date when the City has

given the Association written notice of any such noncompliance or deficiencies, the City, at its sole option and discretion, shall have the right and authority to perform any and all installations, repairs, and/or maintenance which is reasonably required and charge back the costs thereof to the Association and Co-Owners (together with reasonable administrative costs and legal fees, should any challenge occur regarding the City's actions) as follows:

(a) Establish a Special Assessment District. The City may establish a special assessment district for the Project to pay for or reimburse the City for any and all such costs (as well as to ensure future required repairs and maintenance) pursuant to whichever state statute the City desires to utilize. In such event, all of the Co-Owners and the Association shall be deemed to have consented to the establishment of such a special assessment district.

(b) Proceeding to Collect Pursuant to the Master Deed and Condominium Documents. Alternately, the City shall also have the authority to collect or seek reimbursement for any and all such costs from the Association and Co-Owners as if such obligations of the Association and Co-Owners were in the form of a permanent deed restriction or covenant on the Project. Should the City pursue this remedy, the City would have any and all rights attributable to the Association when collecting dues or assessments from Co-Owners. Additionally, such costs shall be a lien on each of the Units, which shall be enforceable in accordance with Act No. 94 of the Public Acts of 1933, as amended from time to time. Any such charges which are delinquent for six (6) months or more may be certified annually to the City Treasurer, who shall enter the lien on the next tax roll against the applicable Unit, and the costs shall be collected in the lien shall be enforced in the same manner as provided for in the collection of taxes assessed upon the roll in the enforcement of a lien for taxes. In addition to any other lawful enforcement methods, the City shall have all remedies authorized by Act No. 94 of the Public Acts of 1933, as amended.

The above alternate remedies (being (a) and (b)) shall be deemed to be in addition to any and all other remedies provided for elsewhere in the Master Deed or condominium documents or at law or equity. The City shall have the sole authority and discretion to determine whether or not to proceed pursuant to (a) or (b), above.

C. The Developer shall provide all necessary easements within the Project for telephone, electricity, gas and cable television to the appropriate utility provider without cost. Said easements shall be recorded with the Allegan County Register of Deeds and be provided to each utility provider for their records.

D. Exterior Lighting. All street lighting shall be consistent with Section 19.05 of the Zoning Ordinance and shall either be installed prior to the issuance of any certificate of occupancy for the first building in the Project or paid for prior to the issuance of any certificate of occupancy for the project.

Section XIII. Soil Erosion Control Requirements.

The Developer shall submit a soil erosion control plan showing all temporary and permanent soil erosion control measures to be taken before, during, and after construction on the Project. This plan shall be reviewed and approved by the City Engineer prior to commencing any excavation on the site.

Section XIV. Performance Guarantee.

To ensure compliance with this Ordinance and any conditions herein, the City may require reasonable performance guarantees to ensure completion of improvements such as, but not limited to, landscaping, drainage, lighting, roads, and utilities. The City Council, Engineer, or Zoning Administrator may require such guarantees at any time they deem reasonably necessary to ensure completion of the improvements. The form (including the bank or surety involved), duration, and amount of the performance guarantee as shall be approved by the City. The performance guarantees to be required by the City may include only the provision of performance and payment bonds by an approved surety or the provision of a letter of credit from an approved financial institution.

Section XV. Permanent Common Open Space.

The permanent common open space area is to remain in its present undeveloped state in perpetuity. To ensure this occurs, the following regulations shall apply to the permanent common open space area:

A. No buildings, structures, fences, or driveways shall be erected, constructed or placed within the common open space area. The private streets and their associated infrastructure improvements may encroach into this area provided all plans are approved by the City and are consistent with the development plan for this Project.

B. There shall be no tree or vegetation cutting or removal within the common open space areas except to remove fallen, dead, diseased or dangerous trees or vegetation. The required detention and mitigation areas must also be constructed according to the approved plans.

C. There shall be no draining, filling or any other improvements of the wetlands within this common open space area other than that already permitted by the Michigan Department of Environmental Quality (MDEQ). The project must stay in full compliance with applicable MDEQ permits.

Section XVI. Consistency of the Master Deed and/or Deed Restrictions/Covenants with the PUD Approval.

If the Project will be a condominium project (in whole or in part), the master deed (and attachments) shall be reviewed and approved by the City Attorney prior to final recording to ensure consistency with this Ordinance. If some or all of the Project will be governed by deed restrictions/restrictive covenants apart from a condominium master deed, such deed restrictions/restrictive covenants shall be reviewed and approved by the City Attorney before recording to ensure consistency with this Ordinance.

Section XVII. Consistency with Planned Unit Development (PUD) Standards.

The rezoning to Planned Unit Development will result in a recognizable benefit to the ultimate users of the Project and to the community. Current and future residents will recognize the benefits of a residential development that offers a low-density land use and public non-motorized pathways.

In relation to the underlying zoning (R-1) the City finds the Project will not result in a material increase in the need for public services, facilities and utilities and will not place a material burden upon the subject property and the surrounding properties. The Project is not anticipated to cause undo impact to the stormwater drainage of the surrounding area. All stormwater and soil erosion control plans have been approved by the City Engineer and the appropriate County and State agencies.

The Project has been determined by the City to be compatible with the 2005 Tri-Community Comprehensive Plan and with the spirit and intent of the Planned Unit Development Chapter of the Zoning Ordinance. The Project has been determined to be a "Residential" use, which is consistent with the City of Douglas Comprehensive Plan.

The City finds the Project will not result in an unreasonable negative economic impact upon surrounding properties.

The City finds the Project to have at least the same amount of green areas and usable open space than would typically be required by the City Zoning Ordinance.

Finally, the City recognizes the Project will be under single ownership or control. The City recognizes that the Developer or its assigns will retain ownership and control of the Premises until a majority of the site condominium units are purchased for single family residential purposes.

Section XVIII. Effective Date.

This Ordinance shall become effective twenty (20) days after publication of the ordinance, or a summary thereof, in a newspaper of general circulation within City of Douglas.

The foregoing Ordinance was offered for adoption by Greenwood, supported by

Mayer. The roll call vote being as follows:
YEAS: Bailey, Greenwood, Harvath, Hoexter, Mayer, Smith, Wiley
NAYS: None
ABSENT: None

Ordinance Declared Adopted.

James I. Wiley, Mayor _____
Date

Jean E. Neve, City Clerk _____
Date

CERTIFICATION

I hereby certify the foregoing Ordinance was adopted by the City Council of the City of the Village of Douglas at a meeting held on August 20, 2012 and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the City Charter and the Open Meetings Act, Public Act 267 of 1976, as amended, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

Jean E. Neve
City of Douglas Clerk

MEMO

TO: City of the Village of Douglas Council

FROM: Douglas Property Development, LLC

RE: Westshore PUD Trail Matters

DATE: June 27, 2024

Douglas Property Development, LLC ("**Developer**"), the developer of the Westshore Condominium project ("**Westshore Condominium**") and the owner of the vacant development area west of Westshore Condominium, appreciates the opportunity to present this memorandum to the City of the Village of Douglas Council (the "**Council**").

The Westshore Condominium is part of the Westshore PUD, formed pursuant to Ordinance 03-2012. The City of the Village of Douglas Planning Commission considered an amendment to the Westshore PUD at its June 13, 2024, meeting, pursuant to which certain non-motorized path locations within the Westshore Condominium and the remainder of the Westshore PUD area would be finalized and certain path areas would be designated either public and private.

By way of background, Ordinance 03-2012 did not specify that all trails within the Westshore PUD must be public. Sheet C-109 of the original approved Westshore PUD plan, attached to this memorandum as Exhibit A, specified that certain trails would be public, but other trails contemplated in the plan were not designated as public. Additionally, the City Staff memorandum dated April 4, 2012 and revised June 6, 2012, attached to this memorandum as Exhibit B, discussed the Developer's pedestrian circulation plan, including several interior pathways for residents of the community *and* a proposed *public easement* with a proposed pathway that would provide public access across the entire Westshore PUD and exit at Lakeshore Drive. In sum, it appears that the Westshore PUD that was approved contemplated both public and private trails.

As to the location of the trails, to the extent that Ordinance 03-2012 identified the locations of all trails to be constructed within the Westshore PUD, over time, topographical issues, wetland concerns with respect to portions of the Westshore PUD, construction of housing within the Westshore Condominium and discussions with the Westshore Condominium Board have limited the areas in which the trails may be reasonably constructed. The Developer believes that the current trail location plan retains the public benefit that Ordinance 03-2012 contemplated regarding the lengthy public trail which would still run from Lakeshore Drive down to Center Street.

Regarding the maintenance of the trails within the west development area that the Developer owns, the Developer will be responsible for the maintenance of those trails unless and until a condominium project is created within the west development area, at which time the association of co-owners of the condominium project would assume responsible for maintenance of those trails.

Regarding the maintenance of the trails within the Westshore Condominium, the Developer retains the obligation to maintain the trails until the City has determined the trail construction is complete, at which time the Westshore Condominium Association assumes the trail maintenance responsibility.

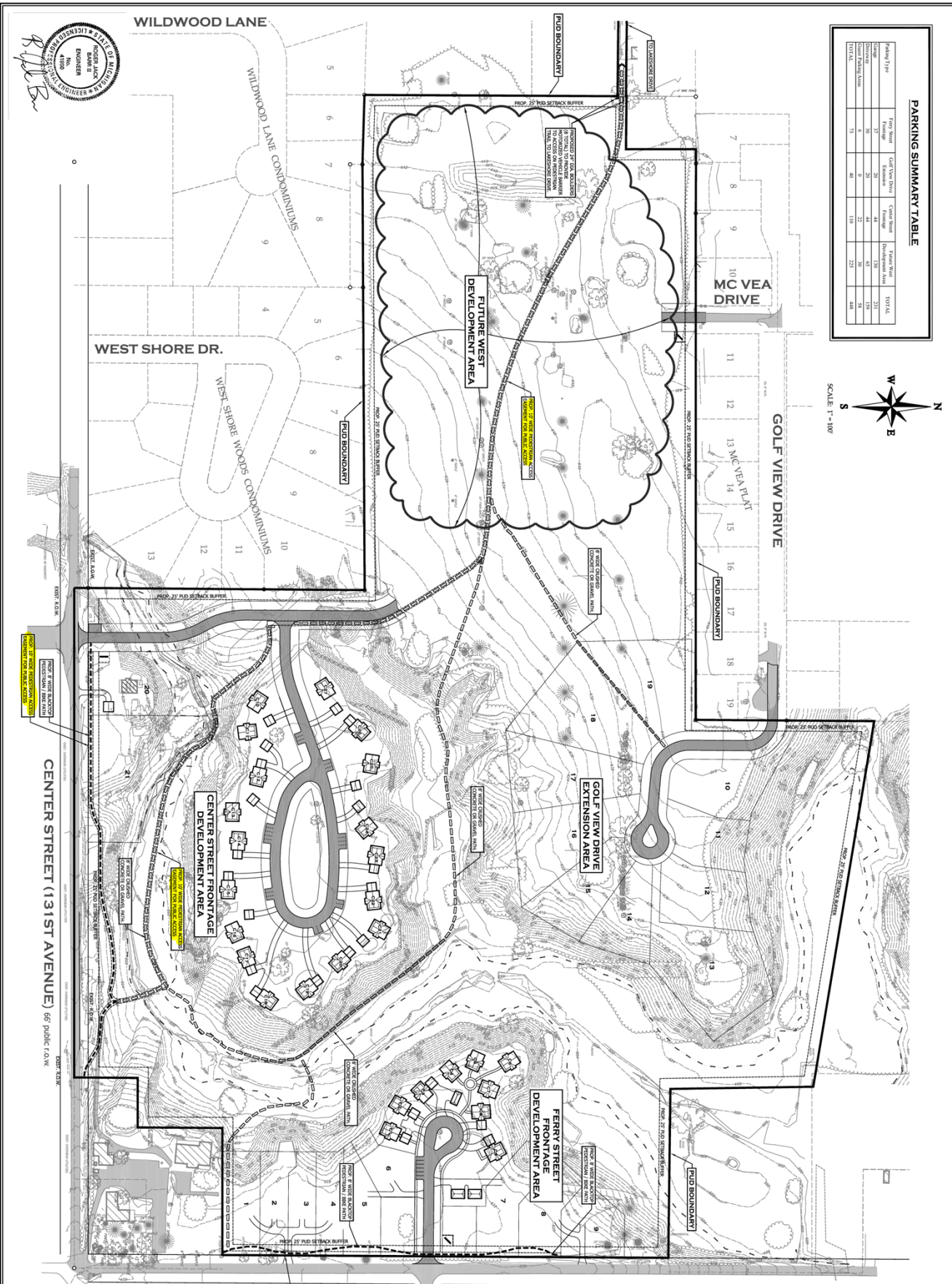
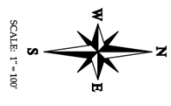
The Developer has been consistently working with the City staff, the City attorney, the Westshore Condominium Board members and other stakeholders for the last several years to arrive at agreements for the trails that would allow all of the trails to be constructed within several months after final approval of the trails and the recordation of the agreements covering the trail construction and maintenance obligations.

In conclusion, the Developer stands ready and willing to begin construction of the trail improvements, whether they be public or private or a combination of the two, with the goal of completing all trail construction before the end of 2024, depending on the timing of final approval and execution and recording of the trail construction and maintenance agreements. To that end, given the ambiguity in Ordinance 03-2012 and subsequent discussions with the City and other stakeholders over the years regarding the trails and their location and use, the Developer requests that any applicable deadline to complete construction of the trails be extended accordingly.

Exhibit A
Sheet C-109
[See Attached]

PARKING SUMMARY TABLE

Category	Count	Percentage	Count	Percentage	Count	Percentage	TOTAL
Handicap	2	2.0%	2	2.0%	2	2.0%	6
Standard	20	20.0%	20	20.0%	20	20.0%	60
Other	8	8.0%	8	8.0%	8	8.0%	24
TOTAL	30	30.0%	30	30.0%	30	30.0%	90



checked	date	no.	comment	date
RB	12/12/11	1	PRELIMINARY PUD SUBMITTAL	12/12/11
RB	03/07/12	2	PRELIMINARY PUD SUBMITTAL	03/07/12
RB	05/26/12	3	PRELIMINARY PUD SUBMITTAL	05/26/12
RB	06/20/12	4	FINAL PUD SUBMITTAL	06/20/12
RB	06/21/12	5	FINAL PUD SUBMITTAL	06/21/12
RB	06/26/12	6	FINAL PUD SUBMITTAL	06/26/12
RB	07/26/12	7	FINAL PUD SUBMITTAL	07/26/12
RB		8		

Project no.: 1120074
C-109

WEST SHORE COURT

DOUGLAS PROPERTY DEVELOPMENT, LLC

Attention: **Kevin Einfeld**

5510 Cascade Road SE, Suite 21
 Grand Rapids, Michigan 49546
 Phone: (616) 458-8505

Vehicle and Pedestrian Access Plan

WESTSHORE GOLF REDEVELOPMENT P.U.D.

PART OF SECTION 17, T3N, R14W,
 CITY OF DOUGLAS, ALLEGAN COUNTY

NEDERVELD

www.nederfeld.com
 800.222.1868

ANN ARBOR
 401.262.1800

GRAND RAPIDS
 616.222.1800

HOLLAND
 616.222.1800

Exhibit B
City Staff Memorandum
[See Attached]

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City of the Village of Douglas

Memo

To: Planning Commission
From: Ryan Kilpatrick, AICP
 Director of Community Development
Date: April 4, 2012 (Revised June 6, 2012)
Re: West Shore Redevelopment – Site Plan Review

This memo is intended to provide a thorough staff analysis of the proposed site plan for the redevelopment of the former West Shore Golf Course. Sections 27.04 (Project Design Standards for PUD) and Article 24 (Site Plan Review) shall be the primary points of reference during this stage of plan review

Section 27.04 Project Design Standards

- 1) **Location:** A Planned Unit Development may be approved in any district subject to review and approval as provided herein.
- 2) **Compatibility with Adjacent Uses:** The proposed PUD shall set forth specifications with respect to height, setbacks, density, parking, circulation, landscaping, views and other design and layout features which exhibit due regard for the relationship of the development to surrounding properties and uses thereon. In determining whether this requirement has been met, consideration shall be given to the following:
 - a. The bulk, placement, and materials of construction of proposed structures

Staff comments: The applicant has illustrated the proposed location of structures and/or single family lots on the property and the placement of many of the buildings appears to be appropriate. Page 19 of the developer provided narrative description indicates those structures which would require deviation from the underlying standards of the zoning ordinance. Such deviations may be permitted within the criteria of Section 27.04(5) of the zoning ordinance.

As requested, four of the accessory structures located within the Center Street development area would be located between the front foundation line of the

principal structure and the roadway. As described by the developer, no accessory building would be closer than 48 feet to the center line of the private road. This equates to a 15 foot setback from the right of way. Here a deviation from the prohibition on accessory structures in the front yard as well as the minimum front yard setback requirement would be necessary.

The two units with proposed frontage directly upon Center Street would have accessory structures which may also be located between the principal structure and the road. Here such structures would be a minimum of 37 feet from the public right of way and would meet the minimum required setback of the R-1 District. Only a deviation from the prohibition against accessory structures in the front yard would be required here.

The developer has also requested that all of the lots with frontage upon Ferry Street would have accessory structures located between the principal structure and the roadway. Most of these structures would have a minimum setback of 67 feet from the road right of way, which is well above the minimum requirement for the district. Lots 6 and 9 would have a minimum setback of 37 feet. The same would be true for the two lots with direct frontage on Center Street.

The proposed site condos in the Ferry Street development area would include 3 accessory structures between the principal structures and the roadway, as well as an additional two garage structures to the east of the site condos which would be 130 feet from the Ferry Street right of way and approximately 18 feet from the private road right of way.

It is important to note that page 14 of the narrative description states that “no accessory residential dwelling units are proposed for this PUD”.

- b. The location and screening of vehicular circulation and parking areas in relation to surrounding development:

Staff Comments: Two of the proposed vehicular connections within this development will be adjacent to existing single family homes. The connection to Center Street will be adjacent to four single family homes or lots within the West Shore Woods subdivision and the connection to Golfview Drive will be adjacent to one single family home.

The developer has taken steps to move the proposed private road rights of way outside of the required 25 foot buffer area. The developer has also illustrated

(Sheet C-112A) a significant amount of vegetation adjacent to the private roadways as an additional visual buffer.

- c. The location and screening of outdoor storage, outdoor activity or work areas, and mechanical equipment in relation to surrounding development.

Staff Comments: No equipment or storage is proposed or foreseen at this time.

- d. The hours of operation of the proposed uses.

Staff Comments: The proposed uses are limited to single family homes, used 24 hours per day and having little impact upon adjacent properties.

- e. The provision of landscaping and other site amenities.

Staff Comments: As noted above, the applicant has provided significant landscaping along the proposed private roads where they are adjacent to existing single family lots (Sheet C-112A).

The applicant has also illustrated proposed deciduous trees planted 30 feet on center along the Ferry Street and Center Street rights of way. It should be noted that much of the existing vegetation along the Ferry Street roadway, especially along the north end of the site, will be removed and replaced. The existing vegetation consists of mostly scrub trees and the proposed new trees will be an improvement. However, there will be a noticeable void for the first several years after the existing vegetation is removed.

Additional vegetative screening is proposed within the Ferry Street development area which would screen the two independent garage structures and the small parking area from the Ferry Street road right of way and from adjacent homes.

Landscaping around each individual site condo unit will also be installed and maintained by the developer. A depiction of the typical landscape plan is illustrated in the lower left corner of Sheet C-112A.

- 3) **Permitted Uses:** Staff has no concerns about the proposed use of the site for 46 single family homes, with the potential for additional residential development in the western portion of the property reserved for a future date.

- 4) **Applicable Base Regulations:** Unless waived or modified in accordance with subsection (5) below, the yard and lot coverage, parking, loading, landscaping, lighting, and other standards for the underlying district shall be applicable for uses proposed as part of the PUD.

Staff Comments: The developer has illustrated a majority of the homes and/or site condos on site will be in compliance with the underlying standards of the R-1 Zoning District, which are as follows:

DEVELOPMENT REQUIREMENTS Section 4.02 R-1 Residential District:

	Required	
Lot Area:	12,000 sq. ft.	
Frontage:	100 ft	
Setbacks:		
Front:	35 ft	
Side:	7ft/18ft total	
Rear:	25ft	
Max Lot Coverage:	35%	
Height:	28 ft.	

However, there are several lots or site condos which would not meet one or more of these requirements. Rather than consider each proposed lot or building individually, the Planning Commission should consider whether the proposed configurations and setbacks are appropriately scaled to the district as illustrated on the plans. It is important to note here that one of the primary purposes of the Planned Unit Development is to allow for regulatory flexibility as it relates to yard setbacks, frontage, lot coverage, etc. where the effect is the preservation of a significant amount of open space or another public purpose can be achieved. Sheets C-102 through C-105 illustrate in detail how each lot would be configured and/or how each structure would be situated in relationship to neighboring structures and roadways. Staff does not have any concerns about the illustrated structures, setbacks or lot configurations proposed, pending planning commission review of the placement of accessory structures on site.

The applicant has illustrated a dark sky compliant lighting fixture on Sheet C-115. The location of the proposed lighting is also illustrated. This appears to comply with all required standards.

- 5) **Regulatory Flexibility:** To encourage flexibility and creativity consistent with the PUD concept, departures from the regulations in subsection 4 above may be permitted, subject to recommendation by the Planning Commission and approval of City Council.

Staff Comments: A majority of the underlying requirements of the R-1 Residential District and other applicable standards of the zoning ordinance have been met on many of the proposed single family lots or condo sites. However, where regulatory flexibility is requested by the developer, it is important for the Planning Commission to be aware of the deviation and provide explicit acknowledgement that the proposed deviation is appropriate. The proposed deviations have been described within page 19 and 20 of the developer provided narrative description. I have requested a separate plan sheet which highlights all proposed lots or structures containing on or more requested deviation from the underlying standards of the ordinance. However, the most significant deviations relate to the placement of the proposed accessory structures and the frontage of some of the proposed lots or units. A majority of the proposed lots do not provide the minimum required frontage of 100 feet, although the Planning Commission may find that the lot area and proposed preservation of open space off set this requested deviation in most cases.

As noted on page three of this memo, the typical standard of the R-1 District is a minimum of 100 feet of frontage along the public or private road adjacent to the lot (this can be reduced to 80 feet of frontage for lots fronting on the circular portion of a cul-de-sac). The proposed site plan illustrates lot frontages which vary from the 100 foot standard to as low as 58 feet where lots front on the proposed cul-de-sac stemming from Ferry Street. This segment of the development also illustrates site condo units which would not have direct frontage upon an improved street (units C4, C5, C6 & C7). This type of layout may be permitted by the Planning Commission. The Fire Department has provided a review and conditional approval.

Due to the requirements of the Fire Department, the applicant is no longer requesting a deviation from the required right of way standards for a private road. All roads will now have a 24 foot minimum pavement width within a sixty-six foot easement. This is a significant change from the previously proposed 14 foot pavement width in the Center Street development area.

- 6) **Residential Density:** The maximum permitted density in the underlying district may be permitted only upon determination that the desired density will not unreasonably affect the immediate and surrounding area and services. The maximum number of dwelling units permitted as part of a PUD proposal shall be determined by submittal of a test plan.

Staff Comments: On February 8th, 2012, the Planning Commission voted to approve a test plan illustrating 111 single family lots, all of which were determined to be in compliance with the minimum required standards of the R-1 Zoning District. The applicant has currently

proposed a 46 unit residential development which would be well below the maximum density permitted on site. The developer may propose additional units in the west development area at a date in the future, though all such proposals will include full site plan review for compliance with Article 27 and Article 24 of the Zoning Ordinance as well as final review and approval by the Douglas City Council.

- 7) **Permitted Mix of Uses:** Although a PUD would allow for a mix of uses not otherwise permitted within the district, the applicant has proposed only single family dwellings.
- 8) **Open Space Requirements:** Open space shall at least equal that which would be provided under the maximum lot coverage requirements of the underlying district. At least half of the minimum open space shall be held in common, not as individual lots.

Staff Comments: The applicant has met the minimum threshold of supplying the 65% open space which would have been required had the property been developed under the underlying standards of the R-1 Zoning district. The 65% open space which has been designated on the site plan does not include the open spaces provided upon the individual lots proposed within the site (i.e. lots 1-9 along Ferry Street and lots 10-19 extending from GolfView Drive) although it does include the yard spaces surrounding each of the site condominium units (C1-C9 and C10-C27) – see Sheet C-113. Of the total 37.7 acres proposed for open space, the areas surrounding these units would amount to less than 50% of the total acreage and will be landscaped and maintained by the developer.

All of the proposed open space shall be required to be set aside permanently within a deed restriction or covenant which requires the land to remain as open space in perpetuity.

- 9) **Frontage & Access:** PUDs shall front onto a street with adequate capacity to safely accommodate the traffic of the development.

Staff Comments: The proposed neighborhoods stemming from Ferry Street and Center Street are serviced by adequate public roads and would be readily accessible under the standards of the local private road requirements (see also comments regarding regulatory flexibility above).

- 10) **Utilities:** All utilities shall be placed underground.

Staff Comments: Sheets C-111 (A-D) illustrate the proposed locations of utilities within the development. All utilities are proposed to be underground.

- 11) **Privacy of Dwelling Units:** A PUD shall be designed to provide privacy for all dwelling units surrounding the development as well as within the development. The relationship of doors and windows shall be offset wherever possible.

Staff Comments: The applicant illustrated proposed landscaping where the development is adjacent to existing residential properties along the proposed private roads stemming from Golf View Drive and Center Street. The landscaping appears to be adequate to provide a significant screen once plantings have reached maturity.

- 12) **Emergency Access:** The configuration of buildings, driveways and other improvements shall permit convenient and direct emergency vehicle access and shall be subject to the International Fire Code and Fire Department review

Staff Comments: The Fire Department provided a letter of review with conditional approval. The developer has responded by widening all roads within the development and enlarging the cul-de-sacs to meet Fire Department requirements. Additional hydrants have also been proposed to accommodate SDFD requests.

- 13) **Pedestrian & Vehicular Circulation:** A pedestrian circulation system shall be provided that is isolated as completely as possible from the vehicular circulation system. The layout shall respect the pattern of existing planned streets, sidewalks and bicycle pathways and shall complement or implement the recommendations of the Tri-Community Comprehensive Plan.

Staff Comments: The applicant has provided an amended pedestrian circulation plan which would include 8 foot paved pathways along the entirety of the Center Street frontage and an appropriate amount of the Ferry Street frontage, except that it should likely extend northward an additional 45 feet to intersect with the northerly most proposed shared driveway. The pedestrian circulation plan also includes several interior pathways for residents of the community. Finally, the plan includes a 10 foot public easement with an 8 foot gravel pathway moving from the east side of the site to the west. This proposed pathway would provide public access across the entire site and exit at Lakeshore Drive, offering the implementation of a long sought after goal of the Tri-Community Comprehensive Plan.

It is recommended that the Planning Commission consider a date certain by which the public pathway to the Lakeshore should be completed and the type of construction. The developer has proposed that this path be constructed within three (3) years of final PUD approval or at the time that the Center Street development area is developed. Further, the western 1/3 of this pathway is proposed to remain a mowed pathway until the final phase (West Development Area) is proposed for construction. Given the hydric soils of portions of this site, it may be appropriate to require that the entire pathway be constructed of compacted gravel

or crushed concrete within a specified time period. This material should not be overly onerous to remove once the final phase of development is approved and under construction.

This pathway seems to be critical to the public benefit component of this plan and should be carefully considered. It is preferred that all required public pathways be mowed from the time that the first certificate of occupancy is issued and that an 8 foot wide crushed concrete or gravel pathway be provided all the way to Lakeshore Drive within the proposed three year time period (or another date certain which is satisfactory to the Planning Commission), with some form of performance guarantee in place to ensure these improvements will occur.

The applicant has not illustrated any interior pathways adjacent to the residential neighborhoods proposed within the development. Rather, the pathways are all proposed within the preserved opens spaces on the site. The Planning Commission may wish to discuss whether any additional pathways are appropriate alongside the proposed private roadways.

The proposed interior road network would align with existing public and private roads within the surrounding community. The road stemming from Ferry Street would be directly located across from the existing Westshore Street, and the road stemming from Center Street would be located directly across from Wilderness Ridge Drive. The equal alignment of these intersections is important and appears to be properly planned.

Finally, the proposed shared driveway intersections along Ferry Street should be carefully evaluated. There is some concern regarding the proposed driveway at the north end of the property due to the topography of the intersecting roadway and the potential lack of clear vision for an adequate distance. Heavy beach traffic during the summer season may make this driveway location a safety hazard.

The developers engineer has provided a topographic and site line evaluation of the proposed driveway intersection and the City Engineer has acknowledged that the drive does meet standard site line protocol.

- 14) **Maximum Height:** Except as otherwise provided, maximum building height shall be consistent with the underlying district.

Staff Comments: The applicant has not yet provided conceptual renderings of any of the proposed units on site. It is understood that all units shall be the 28 foot maximum height requirement of the R-1 Zoning District.

- 15) **Minimum Spacing:** Minimum spacing between detached buildings shall not be less than 15 feet unless authorized by the Planning Commission or City Council.

Staff Comments: The buildings illustrated on the proposed site plan are all in compliance with this standard.

- 16) **Building Length:** This standard deals with multiple family buildings and does not apply to the proposed site plan.
- 17) **Sensitive Natural Features:** All sensitive natural features such as drainage ways and streams, wetlands and streams or riverbanks (including areas within the 100 year floodplain) shall remain unencumbered by any structures.

Staff Comments: The applicant has proposed all buildings located on site to be within upland portions of the site and setback from any sensitive natural features.

- 18) **Buffer Zone Along Streams:** Drainage ways and streams shall be protected by a 25 foot natural vegetation strip, measured from the ordinary high water mark for the Kalamazoo River.

Staff Comments: This standard does not apply as the proposed development is not adjacent to the Kalamazoo River. However, more than 25 feet of buffer area has been provided either side of the Warnock drainage area.

- 19) **Buffer Zone Along Property Lines:** Natural vegetation, planted or landscaped buffer areas of 25 feet width are required along all exterior boundaries of the property to be development as a PUD.

Staff Comments: The applicant has illustrated the required 25 foot buffer surrounding the entire site. The applicant has also increased the landscaping adjacent to all existing residential areas and the proposed development.

- 20) **Parking Areas:** The Parking area shall be designed so as to maximize and encourage the use of landscape breaks and/or buffers to minimize the unbroken expanse of surfaced area.

Staff Comments: Though not required by ordinance, the applicant has provided several parking areas on the site which are outside of the typical residential driveway or garage areas. Given the seasonal nature of much of the Douglas community, as well as the expectation that homeowners may have visitors from time to time, the applicant has proposed small parking areas for visitors. A total of 28 extra parking spaces have been proposed and have been broken up in to areas of 3-6 parking spaces each throughout the development. Each parking area is surrounding by green space or natural area, though specific landscaping detail has not been proposed.

- 21) **Common Property:** Arrangements must be made for the improvement, operation and maintenance of all common property including private streets, drives, parking, open space and recreational facilities. The applicant shall be required to present a maintenance agreement and any easements necessary to satisfy the City Attorney that all such property shall be properly maintained in perpetuity.

Staff Comments: The applicant has provided the required condo docs, easements and maintenance agreements. These have been reviewed by the City Attorney and are in proper form for Planning Commission review and approval.

- 22) **Easements across common Property:** All necessary easements for public and/or private access shall be granted to the City.

Staff Comments: The applicant has provided the required easements and they have been reviewed by the City Attorney. The only changes necessary are to those easements which involve public access trails and pedestrian pathways. These easements should be constructed and maintained by the developer. It is recommended that the easements be amended to reflect this requirement.

Site Plan Review (Section 24.02):

The criteria for site plan review are universal for most development applications which come before the Planning Commission. Due to the fact that the proposed project has been submitted as a Planned Unit Development, the standards for site plan review will be coupled with those which are outlined above. The applicant has attempted to address all of the following standards for site plan review within the revised site plans submitted as well as within the narrative description (beginning on page 9).

In reviewing the criteria for Site Plan Review, it is determined that all requirements of site plan review have been completed and satisfied, subject to the Planning Commission's review of the above mentioned items dealing with deviations from the requirements of the underlying zoning district.

Final staff comments: The Phasing of required pedestrian trails should be closely evaluated (see page 23 of narrative description – Phasing of Development & Improvements). It is suggested that, at minimum, the developer be required to maintain a mowed pathway in the area of all required pedestrian trails throughout the site on the date that the first certificate of occupancy is issued. The Planning Commission may also wish to discuss the timing of physical construction.

Staff Recommendation: Remaining details to be discussed should include the timing of installation of pedestrian pathways, both public and private, as well as the maintenance criteria for those pathways. The Planning Commission should also complete any discussion of the proposed location of accessory structures.

The applicant has submitted all necessary information to allow the Planning Commission to make a final recommendation to the City Council. Although staff has scheduled a public hearing for this development, it has been noted that the ordinance requires the Planning Commission to schedule the public hearing. It is recommended that a hearing be scheduled not later than the regular July meeting of the Planning Commission (7/11/12).

Approval Process: As required within Article 27, all Planned Unit Developments must be approved by ordinance. It is recommended that this development be approved via a series of ordinances, as follows:

Ord. #1 West Shore Redevelopment – Site Plan for the entire site (including all sheets provided to date), Conservation Easement, Trail Easements, Master Deed & Condo Documents, and similar related materials.

Ord. #2 Final details pertaining to the installation of infrastructure associated with Phase I of the development (Ferry Street Development Area). This will include the required performance bond and a schedule for completion of required infrastructure and expected triggers which will allow the Zoning Administrator to issue certificates of occupancy.

The Planning Commission should discuss the timing for installation of improvements such as the required street trees along Ferry Street, the sidewalk along Ferry Street and any other trail improvements that may be appropriate as relates to the Ferry Street development area.

A final note, the developer has offered to host an open house at the recently completed model home located at 720 West Center Street (just across from the entrance to Wilderness Ridge) for Planning Commissioners and Council Members. It may be helpful to walk through the home to better understand the type of construction and the views afforded of the ravines on site as a result of the proposed location of structures.

The open house will be held on Wednesday, June 13, prior to our next regular meeting, from 5:00 pm to 6:45 pm. Additionally, the home will be open to the public at varying times throughout the

next week and you may stop by as it is convenient if you see that the door is open or a sign is in the front yard.