



The Village of Friendliness – Since 1870

To: The City of the Village of Douglas City Council
From: Sean Homyen, Planning & Zoning Administrator
RE: Westshore PUD Internal Trailways
Date: May 16, 2024

At the May 20, 2024 meeting the City Council will consider approving a resolution to extend the deadline by which the developer of the Westshore PUD (Ric Dyk/Kevin Einfeld, BDR), must record the permanent easement agreements for the internal trailways, as required by the Westshore PUD Ordinance (Ordinance No. 03-2012) and as previously extended by Resolution No. 13-2022. Resolution No. 13-2022 required that the internal railway easement agreements be recorded no later than May 31, 2024.

Because some minor changes are proposed to the internal pathways, such as the designation of public to private on some sections of the railway, procedurally, and per Ordinance 03-2012, the plan must be reviewed by the Planning Commission, and receive a final approval by the City Council. The developer's legal team has been working with the City Attorney to draft the easement agreements and the Westshore HOA has been in the process of reviewing them, however, time dedicated to negotiating with the HOA to settle on the terms of the easement agreements has taken a bit longer than anticipated.

Thus, under the advisement of the City Attorney, the Council is being asked to consider extending the deadline to July 31, 2024. This deadline would allow for the Planning Commission's review and recommendation on the proposed modifications to the internal trailways at the June 13, 2024 meeting, and the City Council's subsequent consideration of the final approval on July 1, 2024.

The following documents are provided for your reference and review:

- Memorandum from City Attorney, David Keast, of Plunkett & Cooney [SUBJECT TO ATTORNEY-CLIENT PRIVILEGE]
- Resolution to Extend the Deadline to Record Internal Railway Easement Agreements for the Westshore PUD (Resolution No. 11-2024)
- Resolution No. 13-2022
- Ordinance No. 03-2012

Please feel free to contact me with any questions.