

williams&works

engineers | surveyors | planners

MEMORANDUM

To: City of The Village of Douglas Planning Commission
Date: April 4, 2024
From: Tricia Anderson, AICP
RE: **319 Ferry Street – Proposed Multifamily Development**
DISCUSSION

Mr. Max Nykerk, of Lakewood Construction, on behalf of property owner, AMK Holdings, LLC., has submitted an application for Site Plan Review of a 6-unit townhome development on a one-acre parcel located at 319 Ferry Street. This item is for discussion purposes only at the April 11,



Figure 1: General Location - 319 Ferry St.

2024, Planning Commission meeting, as the applicant has requested to be added to the agenda to simply introduce the project as they work to seek compliance with some of the required site plan elements. The purpose of this memorandum is to provide the Planning Commission with background information and information related to some of the items we are working with the applicant to resolve.

Background. The subject 1-acre site is generally located north and west of the intersection of Ferry Street and Blue Star Highway. It is situated directly north of Isabelle's, directly east of Northern Lights, and southwest of the 200 Blue Star (former Haworth) property. The current zoning of the site is R-5, Multiple Family District, which allows multiple-family dwellings by right.

Proposed Development. The proposed development consists of 6 attached townhome units that are planned as rental units. The six units that are proposed within the single 5,664 square foot building would be comprised of two 1,625 square foot 3-bedroom units and four 1,276 square foot units. Each unit would have a single-stall garage and 2.5 bathrooms. The development also proposes landscaping, lighting, stormwater management facilities, two parking spaces for each unit, and a pedestrian pathway that connects to the Blue Star Highway

nonmotorized pathway. Ingress and egress are proposed through the easements over the existing access drive from Wiley Road that provides access to Northern Lights and Isabelle's. Another point of ingress to the site is located only a few feet south of the Ferry Street/Blue Star Highway intersection.

Site Plan Review Committee. The Site Plan Review Committee met with the applicant's team on March 18, whereby the plan set was reviewed and discussed. At this meeting, feedback was provided by the City Engineer, Director of Public Works, Kalamazoo Lake Sewer & Water Authority, Saugatuck Fire District, Police Chief, Planning & Zoning Administrator, and Williams & Works. The applicant has included a spreadsheet in the submittal that provides our comments and concerns, and whether it is being addressed, or has been addressed in the current submittal. Some areas are still in the process of being addressed, such as the stormwater management design, which must be preliminarily submitted to the Allegan County Drain Commission for review. Discussion was also held by the committee surrounding the topics below, which is beneficial for the Planning Commission to be aware of before being tasked with making a decision on the site plan.

Easements. As noted above, there are shared access easements for ingress and egress. Several other easements also occupy the parcel, as it was part of the Northern Lights Condominium (NLC) and was later split off. Before the parcel was split from the NLC, it was identified in the NLC's master deed as a "future expansion area". Presumably, the condo association constructed the existing parking spaces that line the western lot line of the subject site, however, it is unclear what their purpose was (i.e. part of the required parking minimum, additional guest parking, etc.). Regardless, there is a circuit court settlement from 2007 (included in the submittal package) that establishes and grants the various easements that are associated with the subject site, the Northern Lights parcel, and the Isabelle's parcel. The settlement also spells out the permissions for the use of the aforementioned parking spaces located on the subject site. The applicant's submittal includes

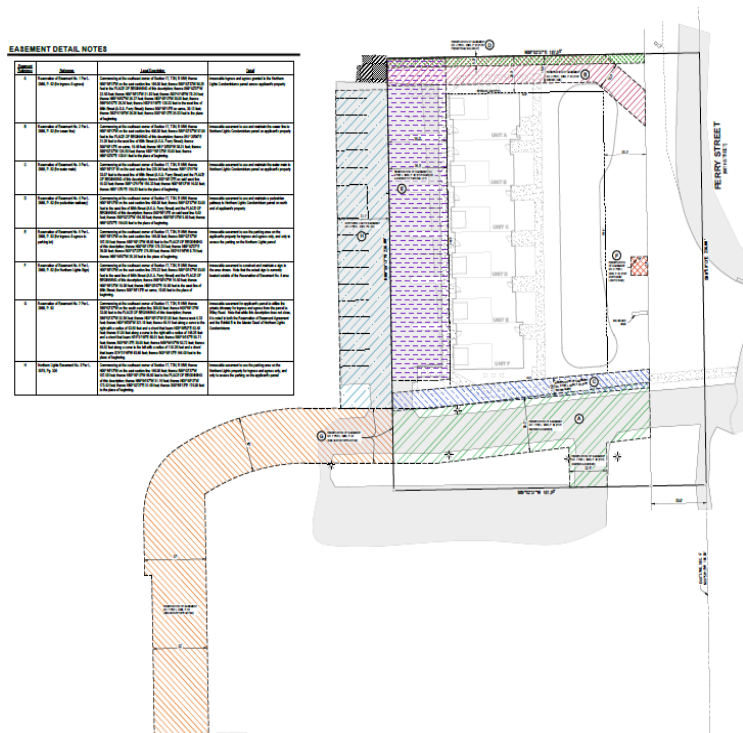


Figure 2: Color Coded Easement Exhibit (Sheet C-901 of the plan set)

an exhibit of all the easements, along with a table of each legal description and reference to the recorded document.

The purpose of the applicant's inclusion of the court settlement and the descriptions of all the easement permissions and benefitting parties is to demonstrate the applicant's right to lawful access to the subject parcel. We have suggested that the applicant connect with the owners of Isabelle's or the Northern Lights Condo Association since the three parcels are affected by established parking and traffic circulation patterns, and changes to the subject site may have an impact on these elements.

Access. As noted above, the applicant has demonstrated the permissions for areas of ingress and egress to the site. We have noted two concerns with the existing pattern of traffic circulation and access to the site:

1. The driveway that abuts the Blue Star Highway is for ingress only, presumably due to the close proximity of the Ferry Street/Blue Star Highway intersection, and egress here would have the potential for accidents, particularly for left-hand turns onto Blue Star. It is recommended that this driveway stay ingress only, but there is a possibility of new residents exiting here.
2. The applicant was informed of the potential for Ferry Street to be closed off at Blue Star Highway, and instead be routed to Blue Star through the former Haworth property as part of the redevelopment of that site. This would likely cause the subject parcel to no longer have frontage on Ferry Street.

The implications of these two concerns are being explored by the applicant and the City Engineer. The City Attorney should also play a role in reviewing the easement agreement documents (court settlement) to ensure that there is no language within any of the documents that would give a party the right to revoke access to the subject parcel through the access drive that connects to Wiley Road.

Environmental. The parcel is located southwest of the former Haworth property located at 200 Blue Star Highway. We have informed the applicant that the Planning Commission has the authority to require environmental assessments and that these special studies may be needed to demonstrate that there is no evidence of the plume's migration to the subject site, and, conversely, if there is, the applicant will have an opportunity to take a proactive approach to protect the health of the future residents within this development.

Planning Commissioners may recall from their review of the Forest Gate project, that wetlands were found to be present on that site, which is situated immediately north of the subject parcel. This was discussed at the Site Plan Review Committee meeting and the applicant has been informed that a delineation will be needed so that it can be demonstrated that there are no regulated wetlands on the site. Again, conversely, if there are, then we will know that an EGLE permit would be required to impact any regulated wetlands before any work could commence.

April 11, 2024 Planning Commission Meeting. At the upcoming meeting, the Planning Commission will hear the applicant's presentation of the project and will have an opportunity to discuss any concerns that the applicant should address before returning to the Planning Commission for a decision.

As always, please feel free to reach out with any questions.