



MEMORANDUM

August 24, 2023

TO: City of the Village of Douglas Planning Commission

FROM: Joe Blair, Planning and Zoning Administrator

SUBJECT: Westshore Phase 3 – Timeline

With the continued questions from the public regarding the information surrounding the current Westshore Phase 3 development, we felt it best to put together a general timeline of events, as well as provide a concise account of all Planning Commission and City Council meeting minutes which reference this property. While the overall number of references are around 65, we've narrowed down 20 to 25 meetings which hold the most important information. This is compiled in the attached exhibit, with the referenced areas highlighted.

In general, the timeline is as follows:

2007

- January 17: The Planning Commission holds a public hearing for the proposed project by the past developer, Paul Wicks. During this hearing, they are shown a presentation by the developer, who proposes a site plan similar to that of the future BDR project, shown in **Exhibit A**. This would include connections between Golfview, McVea, and Center St. The Planning Commission also receives a number of public comments in relation to the project. These comments reference lack of buffer zones, site contamination, traffic, parking. Planning Commission then tabled the issue.
- April 18: The Planning Commission reviews and recommends Conditionally Approval of Mr. Wicks' West Shore Cottages PUD plan. This would be the first of two Conditional Approvals passed to City Council. One of the conditions of this approval, was that a road connecting Center St to either McVea or Golfview be completed before the development of phase 3.
- August [Referenced in Nov. 10, 2008 Document]: City Council sends project back to Planning Commission for further clarification.

- November 28: The Planning Commission holds a second public hearing on the West Shore Cottages project. Much of the public comment is centered around the TCE issues of the plume, while the Commissioner commentary focuses on sidewalks, economic viability, and departure from zoning requirements. Following, the Planning Commission tables the discussion waiting for MDEQ and ACOE reports are finished.

2008

- October 8: Planning Commission again listens to a presentation from Developer Paul Wicks, outlining the changes to the project so far. Afterward, the Planning Commission forwards a Conditional Approval recommendation to City Council, adding condition items #15-19.
- November 10: Prior to the Public Hearing on November 17th, 2008, the City Council hears a presentation by the developer similar to that given at Planning Commission. This presentation ends with an identification of the 21 items that were attached by the Planning Commission as Conditions of Approval.
- November 17: City Council holds a public hearing, where the project is presented again for the public. Public comment contains elements such as possible contamination, questioning public benefit, traffic impact, and increased use of City services. Council members question limited open space, construction impacts on roads, and lack of additional parking for guests of homeowners. No vote was held.

2009

- February 2: City Council votes (5-2) to approve the Wicks Plan for West Shore Cottages, labeled Resolution 06-2009, Urquhart and Sapita voting against.

2011

- June 20: City Council approves two lot splits (Res. 21-2011 and 22-2011) from the original West Shore Cottages PUD parcel, creating two additional parcels fronting on Ferry St. These parcels are now currently three lots along Ferry, addressed as 14, 16, and 20 Ferry St.

2012

- January 11: Kevin Einfeid of BDR presents a preliminary application to Planning Commission for Planned Unit Development at West Shore, with a powerpoint reviewing the eight points for PUD eligibility. This plan is shown in **Exhibit B**.

- February 8: Planning Commission holds a public hearing on the Westshore Redevelopment Proposal from December 12, 2011, presented at the January meeting. *[This would be the first of four public hearings by the Planning Commission]*. Public comment centers around drain issues, number of units, and the sledding hill. The Planning Commission discussed the Test Plan (Req. Section 27.04), and Ryan Kilpatrick outlined the review process. Test Plan reveals 113 buildable lots, wherein the applicant's plan outlines 56 proposed. Planning Commission votes unanimously to accept the Test Plan and continue review.
- March/April: References to plan revisions and environmental review
- May 19: Planning Commission holds a second public hearing regarding the project. Public comment mentions pedestrian traffic, areas left as "Planned to be Built", and the Center St. Road Connection. Planning Commission then tables the item waiting on further information.
- July 11: Planning Commission again holds a public hearing for the West Shore Redevelopment Plan. Public comment includes questions regarding the driveway easement on the 20ft strip of land which connects the development to Lakeshore Drive, as well as other questions about infrastructure on McVea, and drainage on the site. Following the public hearing portion, applicant engineer Jack Barr identifies that the 20ft strip of land is not intended for vehicular traffic beyond golf carts. After discussion, Planning Commission votes unanimously to recommend Conditional Approval to City Council, with two Planning Commissioners absent (Balmer, Hurley). The 5 conditions attached cover road infrastructure, construction schedule, golf cart parking, restriction of 20ft pathway to pedestrians and bikes only, and retention of as-built drawings by the developer.
- August 6: City Council hold First Reading of PUD Ordinance Amendment. Some discussion of environmental issues and trail elements.
- August 20: City Council reviews and approves Ordinance 03-2012 Westshore Redevelopment Plan.

2018

- March 14: Planning and Zoning Administrator Lisa Imus reports to Planning Commission that BDR has requested three amendments to the PUD Plan. In accordance with her reading of the PUD ordinance, PZA Imus grants staff approval for the three amendments.

2021

- April 14: Planning Commission holds a public hearing to review proposed changes to the Condominium Plan. Commissioners voice frustration over timeline, remarking that past changes to the PUD plan were not clearly presented as part of the changes now proposed. Applicant remarks that all previous communications were done through Zoning Administrator review and not Planning Commission, explaining a lack of paper trail. After discussion further, Planning Commission unanimously recommends conditional approval of the SPR changes for 612 Artisan Row to City Council to approve the changes, should the Council receive additional documentation from the applicant regarding reorientation of lots.
- May 17: City Council approves the proposed amendment to the Condominium Plan.

2022

- November 7: City Council discusses extension of deadlines surrounding the open space easements for the Westshore redevelopment Project. Discussion moves toward allowing the recording of open space easements as a condition of future PUD amendment/condominium approval. However, if the future phase is not approved by November 7, 2023, the developer shall record the open space easement agreements to reflect existing open space, in accordance with the as-built conditions.

2023

- May 10: BDR submits plans for PUD amendment titled “Westshore Phase 3.” See **Exhibit C**.
- June 6: BDR resubmits edited plans based on Site Plan Review Committee commentary.
- June 15: Planning and Zoning department removes Westshore Phase 3 from Planning Commission agenda, citing lack of clarity on elements surrounding Access, Easements, Open Space, Density, and the overall timeline of the project since 2012.
- June 26: Planning and Zoning staff submit a list of questions to BDR to answer prior to a public hearing at the Planning Commission.
- July 7: Planning and Zoning staff receive a brief response from BDR discussing questions from June 26, but offering no revised plans, nor answers to all questions posed.

This ends the timeline which has been compiled up until this point (August 24, 2023). At the present moment, BDR is not scheduled to be on any Planning Commission agenda, nor are they scheduled for a public hearing. In addition, we in Planning and Zoning (Tricia Anderson and I) have not received any communication or documents regarding “Westshore Phase 3” since July 7, 2023.

If you have questions regarding the timeline, please let us know.

Joe Blair, AICP

Planning & Zoning Administrator

City of the Village of Douglas

Exhibit A



Exhibit B

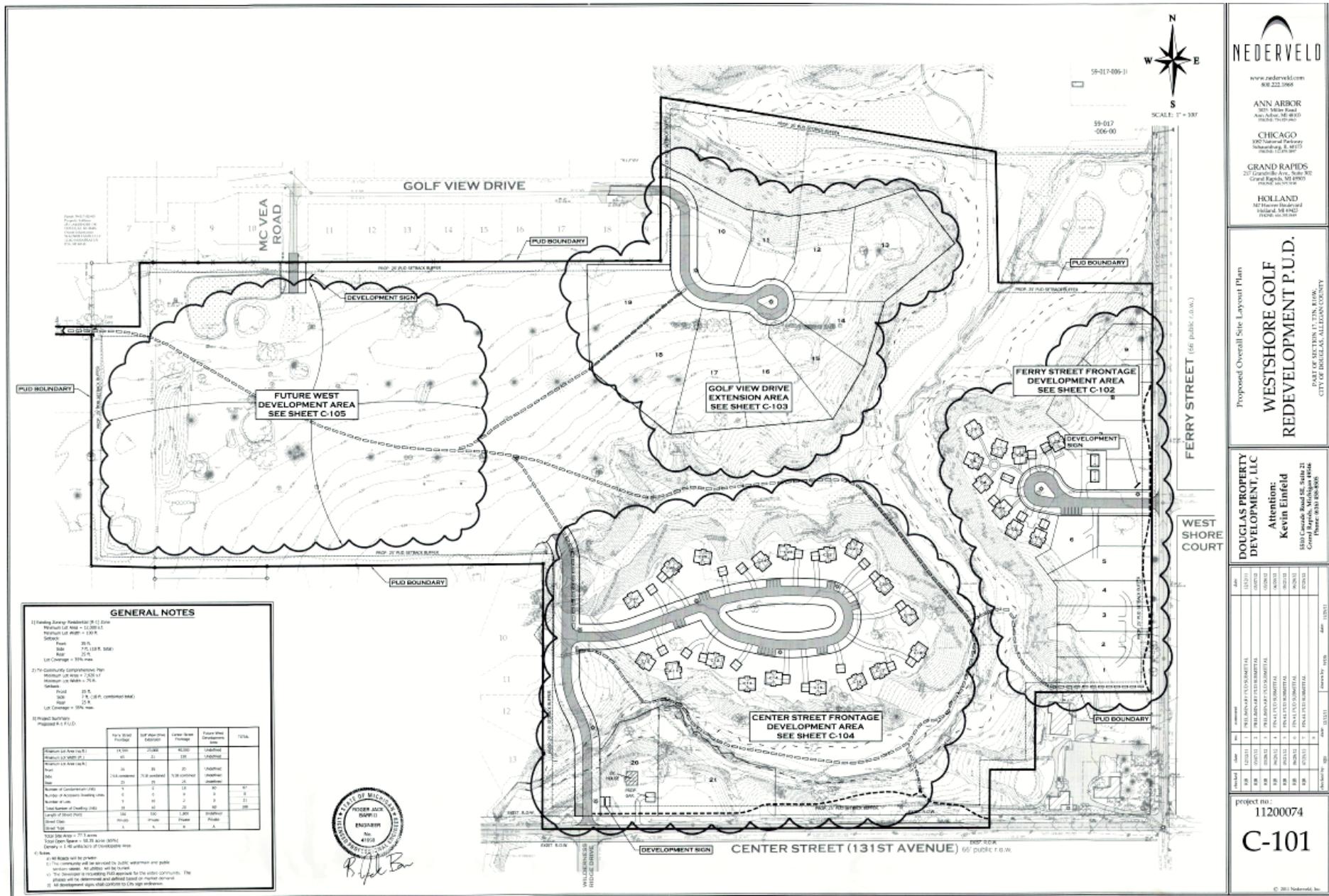


Exhibit C

