

Marc L. Newman
745 Golfview Drive

June 7, 2023

City of Douglas
Planning Commission

Re: WestShore PUD Amendment

Dear Members of the Planning Commission:

I, together with my wife, am the owner of the residence located at 745 Golfview. By way of introduction, I have been a property owner in Douglas since 2016 and purchased our home on Golfview in 2022. My principal residence is in the Detroit area, where I am employed as a commercial litigation attorney. Throughout my career, I have represented a number of property owners and developers in various land-use and zoning disputes.

I am writing in advance of the June 15, 2023 Planning Commission meeting. I would like my submission to be made part of the public record. I have reviewed the 810-page submission by BDR as well as Article 27 (Planned Unit Development District) of the City's Ordinance. I have several concerns about the preliminary site plan that I would like the Planning Commission to address. My concerns are related to three primary issues: density, traffic impact, and visual and sound buffering.

Density. Article 27.03(2) of the Ordinance provides that overall density of a PUD shall not exceed those permitted in the underlying zone. The underlying zoning of the subject parcel is R1. Under Article 4, R1 zoning calls for "very low density residential purposes" with minimum lot frontage of 100 feet. The site plan has an implied lot frontage of 82 feet (62 feet per building plus 20 feet between them). While Article 27.03(2) permits clustering on smaller lots than R1 permits, there must be a showing that "doing so better achieves the open space preservation objective of this Article." It is unclear if that requirement has been achieved. Further, while lot dimensions in a PUD can be modified under Article 27.04(5), this can be done only if the smaller lot sizes result in higher quality layout. Again, it is unclear whether this is merely an unsupported conclusion by the developer, or if an alternative layout has been considered.

Most importantly, under Article 27.04(6), maximum density of the underlying zoning (R1) is permitted only if the proposed density does not unreasonably affect road capacity and traffic, among other things. The density of the planned development directly impacts traffic, which is a major concern of the surrounding residents. I understand that no traffic studies have been commissioned. The Planning Commission should carefully consider the impact to traffic (pedestrian, biking and vehicular) resulting from both the high density of this proposed development and from a single ingress/egress to this development on McVea.

Traffic. The impact on traffic (both pedestrian and vehicular) is a major concern. A single ingress/egress is obviously problematic for homes in the McVea Platt and along Campbell and Ferry, but also along Lakeshore Drive, given its proximity and accessibility to McVea. The amount of traffic generated from this proposed site is unknown since no traffic studies have been performed. Purely based on my observations, the incremental traffic created by this development will be profound, not only from residents of the homes, but also from incidental traffic including guests of the residents (homes with close proximity to the Lake are conducive for large gatherings), and possible short term rentals (depending on the City's final determination on that issue), as well as delivery (Amazon, UPS, Fed Ex) and service vehicles.

Several prior site plans show ingress/egress to Center Street directly adjacent to West Shore Woods. It is not clear why the Center Street access has been eliminated in the current preliminary site plan, but it should be better understood whether Center Street access is viable, consistent with prior versions of the plan, as ingress/egress on Center Street would likely alleviate traffic impacts to McVea, Ferry and Lakeshore roads.

In addition, there will be an impact on traffic (pedestrian, biking and vehicular) to the intersections of Campbell/Ferry and Center/Ferry. These intersections have pedestrian traffic (something encouraged under the Master Plan), particularly on weekends, as well as wildlife roaming the area. Despite the recent reconstruction of Campbell Road, there is no bike lane or walking path, and pedestrian traffic is often difficult to see when turning (uphill) westbound onto Campbell from Ferry. Turning on to southbound Ferry from Campbell can be challenging, especially at peak (sunset) hours.

Traffic at Center and Ferry is exceptionally busy, especially during business hours, with pedestrian traffic and cars backing in and out of spaces, with the openings of Outside Coffee and the Root Beer Barrell, as well as other new businesses along Center. This area has become a major draw for the area, and the quaint neighborhood retail environment is encouraged by the Master Plan. These intersections have changed, fairly dramatically, since the developer's original PUD was approved, including as a result of the additional homes built as part of earlier phases of the PUD. Additionally, cars tend to cut through St. Peters Drive to avoid the intersection at Blue Star and Center (Google and Waze both recommend this route), but that is likewise dangerous, and new construction and additional housing being added along St. Peters Drive, will likely force even more traffic onto the intersection at Center and Ferry.

I do not profess to be a traffic engineer. My statements are based solely on my own empirical observations. A traffic study by a reliable traffic engineer should be a basic requirement of consideration of any plan, given the popularity and increased traffic in this area.

In addition, Ferry Road, north of the Ferry Street Frontage Area of the PUD, can be dangerous for biking and walking. The Ferry Street public path (built by the developer as part of the Ferry Street Frontage phase of development) stops just north of this development. This forces all bike and pedestrian traffic onto Ferry, toward the bottom of the hill, where cars tend to speed up. There is no shoulder, and the road tends to narrow in this area. As a result, it can be hazardous for pedestrians and bike traffic. These public safety concerns are readily apparent

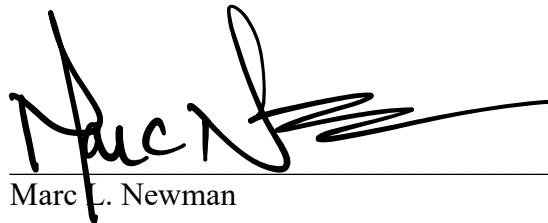
from the significant increase in police presence on Ferry, near West Shore Ct., to discourage motorists from speeding.

To comply with the express intent of the Zoning Ordinance (and the Master Plan), the Planning Commission should consider a requirement for an extension of the Ferry Street public path from Artisan Row to Campbell, or at least consider the feasibility for such purpose. Under Article 27.03(9), the Planning Commission is entitled to require road improvements contiguous to the site that would improve traffic safety and reduce congestion as a condition of development approval.

Visual and Sound Privacy. Article 27.04(11) of the Ordinance provides that the “design of a [PUD] shall provide visual and sound privacy” for dwellings within and surrounding the development. “Fences, walks and landscaping shall be used in the site design to protect the privacy of dwellings.” The site plan proposes the minimum set back requirement (25 feet) along with the proposed trail, and (except for existing wetlands) there is no attempt to provide visual and sound buffering between the trail and adjacent properties, and no attempt to provide buffering from the trail to newly constructed residences. The trail also appears to breach the 25’ setback buffer at McVea Plat sites 14-16.

The plan also seeks to remove extensive trees (some are 100-year-old trees) and makes minimal attempt to replace them. Other than the trail, there is no new buffering proposed between the PUD and existing residents. The Planning Commission should require the developer to submit a plan, consistent with the Ordinance, that seeks to maximize visual and sound privacy, and for replacement of trees.

I hope the Planning Commission shares my concerns and will appropriately address all these issues.



Marc L. Newman