



**THE CITY OF THE VILLAGE OF DOUGLAS  
PLANNING COMMISSION  
THURSDAY, MARCH 14, 2024 AT 7:00 PM  
86 W CENTER ST., DOUGLAS MI**

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**AGENDA**

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**To attend and participate in this remote meeting of the City of the Village of Douglas Planning Commission,  
please consider joining online or by phone.**

**Join online by visiting:** <https://us02web.zoom.us/j/5290484395?omn=89308297326>

**Join by phone by dialing:** +1 (312) 626-6799 | **Then enter "Meeting ID":** 529 048 4395

**1. CALL TO ORDER**

**2. ROLL CALL**

**A.** Approval of March 14, 2024 Agenda (additions/changes/deletions)

**B.** Approval of February 8, 2024 Minutes (additions/changes/deletions)

Motion to approve: March 14, 2024 Agenda and the February 8, 2024 Minutes (Roll Call Vote)

**3. PUBLIC COMMUNICATION - VERBAL (LIMIT OF 3 MINUTES)**

**4. PUBLIC COMMUNICATION - WRITTEN**

**A.** Thomas Vohs & Donald Berger - 121 Washington Street

**B.** Bud Baty & Max Matteson - 175 Washington Street

**5. NEW BUSINESS**

**A.** Public Hearing - 57 Chestnut Street, 69 Washington Street, and 67 Washington Street - Rezone request from R-3, Neighborhood Conservation District, to R-4, Harbor Residential District

-Motion to Open Public Hearing (Roll Call Vote)

a. Applicant Presentation

b. Planning and Zoning Administrators Report

c. Public Comments (limit 3 minutes each, please)

d. Staff Remarks

e. Commissioner Questions

- Motion to Close Public Hearing, (Roll Call Vote)

**6. UNFINISHED BUSINESS**

A. Master Plan Goals and Objectives - Discussion Only

**7. REPORTS**

A. Planning and Zoning Administrator Report

B. Planning Commissioner Remarks (limit 3 minutes each, please)

**8. PUBLIC COMMUNICATION – VERBAL (LIMIT OF 3 MINUTES)**

**9. ADJOURNMENT**

**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](mailto: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  
PLANNING COMMISSION  
THURSDAY, FEBRUARY 08, 2024 AT 7:00 PM  
86 W CENTER ST., DOUGLAS MI**

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**MINUTES**

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**1. CALL TO ORDER** Chair Buszka called the meeting to order at 7:00 p.m.

**2. ROLL CALL**

**PRESENT:**

Chair Paul Buszka  
Vice-Chair Louise Pattison  
Secretary Kelli Heneghan  
Commissioner John O'Malley  
Commissioner Neal Seabert  
Commissioner Matt Balmer  
Commissioner Patty Hanson

**ABSENT:** None.

Also Present: Deputy Clerk Sean Homyen  
Interim Planning and Zoning Administrator, Tricia Anderson, AICP (Williams & Works)

- A. Approval of February 8, 2024 Agenda (additions/changes/deletions)
- B. Approval of January 11, 2024 Minutes (additions/changes/deletions)  
Motion to approve: February 8, 2024 Agenda and the January 11, 2024 Minutes (Roll Call Vote)

*Motion by Balmer, second by O'Malley, to approve: February 8, 2024, Agenda and the January 11, 2024, Minutes.*

*Motion carried by unanimous roll call vote.*

- 3. PUBLIC COMMUNICATION - VERBAL (LIMIT OF 3 MINUTES)** - No comments received.
- 4. PUBLIC COMMUNICATION – WRITTEN** - No communications received.
- 5. NEW BUSINESS**

- A. Public Hearing - 111 Wall Street, Special Land Use for Residential Use of an Accessory Building, per Section 26.31

Chair Buszka asked for a Motion to Open the Public Hearing.

*Motion by Seabert, second by Hanson to open public hearing. Motion carried by unanimous roll call vote.*

a. **Applicant Presentation** - Ed Zwyghuizen from Gen 1 Architectural Group, was present and spoke on behalf of the applicant. He stated that the documents that they prepared were covered in the packet and that if Planning Commission members had any questions, he would be able to answer them.

b. **Planning and Zoning Administrators Report** – The Interim Planning and Zoning Administrator presented the Staff Report and highlighted the minimum requirements that must be met for the special use request to be granted. She noted that the applicant intended to use the dwelling in the existing garage for the actors from the Arts Guild. She also explained the definition of building footprint and if the request affects the permitted size allowed for accessory buildings. She noted that the addition was proposed on the second story and that if the area underneath the addition where the posts support it was to be enclosed, then that would expand the building footprint, which may put the property over the maximum lot coverage of 35%. She added that this is something that will need to be noticed if a future property owner ever requests permits to enclose the ground-level space under the second-floor addition. She also noted that the applicant is not currently seeking a short-term rental registration, but is permitted to by right if she decides unless the ordinance is amended to limit new STR registrations.

c. **Public Comments** (limit 3 minutes each, please) – No comment received

d. **Staff Remarks** – Staff remarks were already addressed

e. **Commissioner Questions** – Members had concerns about the fire escape route. Ms. Anderson indicated that the building code will address the fire safety issues related to fire escapes and the use of a stove within the apartment. Members felt that the lighting met the requirements. Chair Buszka recommended adding an extra condition for the city to observe the rear lot size coverage, in the event the lower level of the addition is ever proposed to be enclosed.

*Chair Buszka asked for a Motion to Close Public Hearing.*

*Motion by O'Malley, second by Seabert, to close the public hearing. Motion carried unanimously by roll call vote.*

*Motion by Balmer, second by O'Malley to approve the request made by Thomas and Liana Allison for special land use approval for the Residential Use of an Accessory Building, per Section. 26.31 of the City of the Village of Douglas Zoning Ordinance on the parcel described as P.P 59-551-005-00, located at 111 Wall Street, based on the findings outlined in the staff report dated February 1, 2024, and subject to the 6 conditions listed. 5 of them being of the report and the additional condition that was stated by the chair, "The maximum rear yard coverage specified in 16.13(5) of the Zoning Ordinance, City of the Village of Douglas shall be observed.*

1. THE APPLICANT SHALL OBTAIN A ZONING PERMIT PRIOR TO ANY MODIFICATIONS TO THE ACCESSORY BUILDING.



2. THE APPLICANT SHALL OBTAIN A BUILDING PERMIT FROM MTS PRIOR TO COMMENCING CONSTRUCTION ON THE ACCESSORY BUILDING RELATED TO PLANNED MODIFICATIONS FOR THE RESIDENTIAL USE ON THE UPPER LEVEL.
3. THE SUBJECT ACCESSORY BUILDING SHALL NOT BE USED FOR ANY COMMERCIAL PURPOSES.
4. ANY PROPOSED EXTERIOR LIGHTING TO THE ACCESSORY BUILDING ADDITION MUST COMPLY WITH ZONING ORDINANCE SECTIONS 19.05(6) AND 24.03(9).
5. ANY FUTURE USE OF THE ACCESSORY BUILDING AS A SHORT-TERM RENTAL AS DEFINED IN ZONING ORDINANCE SECTION 2.20, SHALL OBTAIN A REGISTRATION IN THE MANNER OUTLINED IN SECTION 26.34 OF THE CITY OF THE VILLAGE OF DOUGLAS ZONING ORDINANCE.
6. THE MAXIMUM REAR YARD COVERAGE SPECIFIED IN 16.13 (5) OF THE ZONING ORDINANCE, CITY OF THE VILLAGE OF DOUGLAS SHALL BE OBSERVED

*Motion carried by unanimous roll call vote.*

*Motion by Balmer, seconded Pattison for a quick break. Motion carried by unanimous voice vote.*

## 6. UNFINISHED BUSINESS

- A. **Master Plan Goal and Objectives - Discussion Only** – Ms. Anderson led the discussion on the Goals and Objectives. They began with the topic of economic development. The items that need to be revised were including each zoning district, adding headings related to each sub-area (Wade's Bayou, marina, Lakeshore, R-4 area), and identifying each sub-area such as Blue Star Corridor, 200 Blue Star, Bluestar to Wades Bayou, Bluestar to Ferry, Wiley to City Limits South, and goals for each sub-area. They then discussed how the future economic growth is consistent with the feel/characteristic of the city and amenities that would help benefit the city such as high-speed internet and cell phone coverage. Members agreed to wait until a joint meeting with housing next is held to discuss Housing & Neighborhood topics. The last topic that was discussed was the maps that were provided by W&W.

## 7. REPORTS

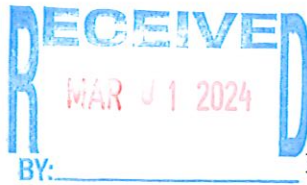
- A. **Planning and Zoning Administrator Report** – Ms. Anderson informed the members of potential reviews that will be coming to the planning commission. That Center Collective went to the council and was tabled and is pursuing a procedural lawsuit in circuit court. Ms. Anderson was wondering if the city has applied for the housing readiness grant through the state of Michigan. She highly advised that the grant could be used to help with zoning ordinance amendments.

- B. **Planning Commissioner Remarks** - No remarks from members

## 8. PUBLIC COMMUNICATION – VERBAL - No comment received

## 9. ADJOURNMENT - Motion by Pattison, second by Balmer, to adjourn the meeting.

*Motion carried unanimously by voice vote.*



Douglas Planning Commission:

March, 1, 2024

I received a notice for a hearing to request a rezoning for three parcels of land, 57 Chestnut, 69 Washington, and 67 Water streets. The request is to change the zoning from R-3 neighbor to R-4 Harbor residential. I understand that R-4 allows for marinas, restaurants, condos etc.

I went to city hall to find out what the plans were for the development and I was told that there were no plans submitted just a request for rezoning. I find that a bit strange since I received notice from the Army Core of Engineers for an application for proposed work for a dock with 12 slips (see attached page). I also find it strange that only three parcels are listed for rezoning when there are six that were in the original sale of the entire site.

Without knowing what the developer has in mind it opens up an entire Pandora's Box. Will there be high density condos like there are in the Swing Bridge development, located on the west side of the Blue Star highway on the river by the bridge? There are fifteen condos jammed together with absolutely no green space.

If the rezoning request is granted for these three lots will the developers then ask to rezone the remaining lots into something else? As I understand the City building code calls for a seventy-five foot setback from the river. Since the river lots are not very deep will the developers request a variance to build, or will they ask for Water Street to be vacated so they can build on that? Will they ask for the street end of Chestnut Street to be vacated to connect lots 003-00 with lot 002-00 in order to build more?

Environmentally speaking ten large maple trees may be taken down plus several other trees. What green space will there be? At a time when we are talking about global warming is this the direction that Douglas wants to take, allow developers profit over the concern of the citizens.

Other concerns about possible increase of density. Washington Streets now has eleven single family residencies. Of the last five housing sales all five have been purchased by investors and turned into short term rentals. On weekends it is not uncommon to have five to six cars parked in the drive ways and on the street. I am sure that the developer has in mind to build multiple unit housing in order to increase his profits. I am also sure that these unites will be purchased and again turned into short term rentals. This will only increase the traffic on Washington Street. Since the development of the condos, Swing Bridge, the traffic on Washington has drastically increased. With fifteen unites, as previously mentioned, each has a two car garage therefore thirty more cars daily on our street.

If the proposed zoning is approved it will completely destroy our neighborhood. Please keep Washington Street a single family zoning.

Thank you,  
Thomas Vohs

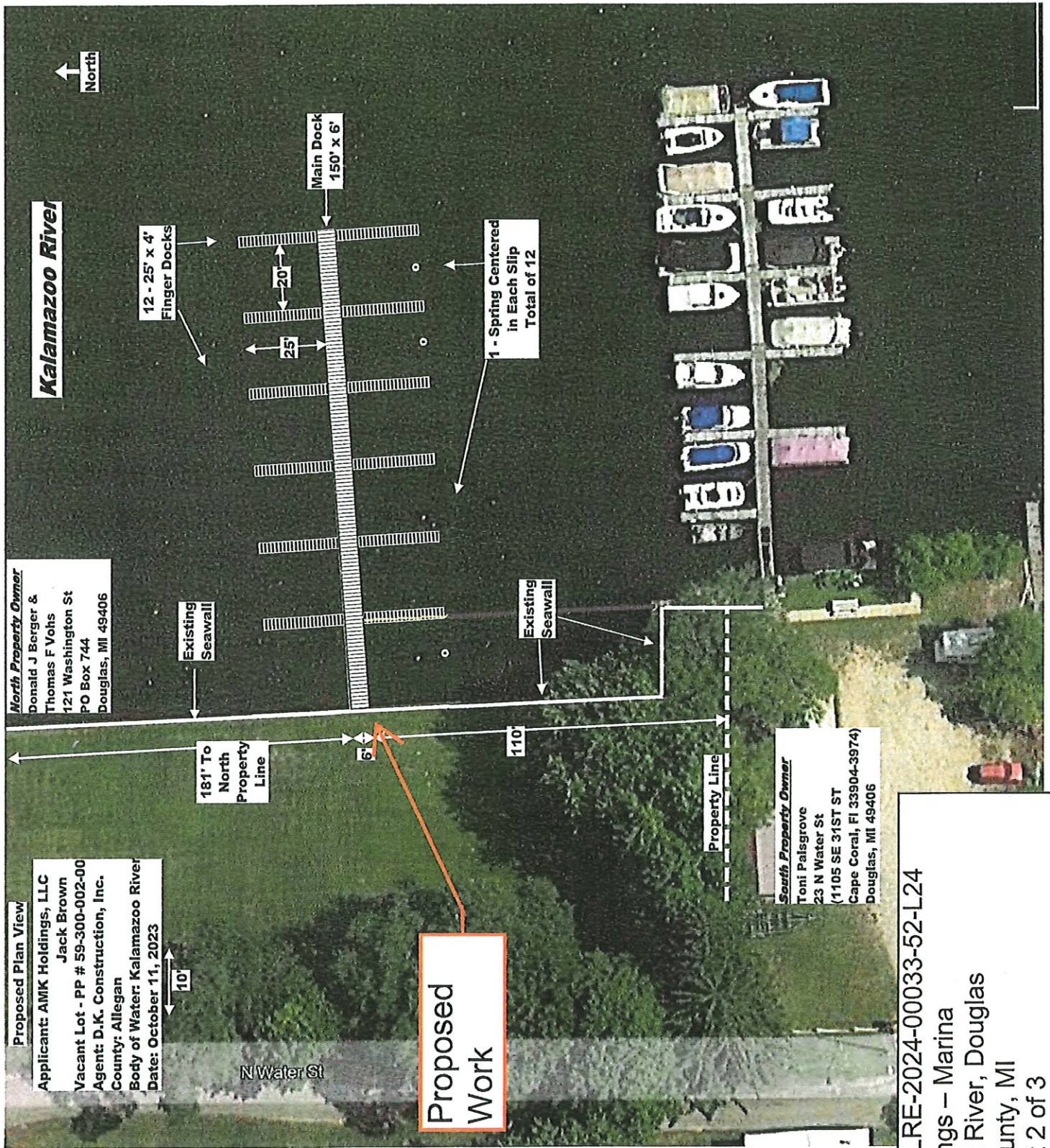
*Thomas F. Vohs*

Donald Berger

*Donald Berger*

121 Washington  
Douglas PO Box 744  
269-857-2416





Corps File LRE-2024-00033-52-L24  
AMK Holdings – Marina  
Kalamazoo River, Douglas  
Allegan County, MI  
Attachment 2 of 3



RECEIVED  
MAR 06 2024  
By: \_\_\_\_\_

February 26, 2024

To: Planning Commission  
The City of the Village of Douglas  
86 West Center Street  
Douglas Michigan 49406

Ref: Requested Zoning Change  
57 East Chestnut Street

In reference to the requested zoning change from R-3 to R-4 for the above mentioned address we as neighbors ask the Planning Commission to deny the owners request.

The 2016 Master Plan -Future Land Use commissioned by the City designated the property as R-3 Single Family Residential. The designation was to enable the property to reflect the single family residential environment that has been the charm of Douglas since its beginning.

Multi family dwellings are prime for Short Term Rentals which at this point Douglas has no ordinances. Increased car traffic on Washington near and under the Blue Star Bridge should be an important part of your discussion.

To change zoning for one individuals gain sets a precedent for the future of Douglas.

Please consider the future of our community.

Thank you for serving on our Planning Commission.

Bud Baty  
Max Matteson  
175 Washington  
Douglas, Michigan 494063

# williams&works

engineers | surveyors | planners

## MEMORANDUM

**To:** City of The Village of Douglas Planning Commission  
**Date:** March 8, 2024  
**From:** Tricia Anderson, AICP  
**RE:** **57 Chestnut St., 69 Washington St., and 67 Washington St. – Rezone Request from R-3, Neighborhood Conservation District to R-4, Harbor Residential**

Max Nykerk, of Lakewood Construction, Inc., on behalf of AMK Holdings, LLC, is requesting to rezone the following three parcels shown in Table 1, from R-3, Neighborhood Conservation to R-4, Harbor Residential. The purpose of this memorandum is to review the rezoning request pursuant to Article 28, Amendments, of the City of the Village of Douglas Zoning Ordinance.

Address	Parcel #	Acreage	Square Feet	Legal description
57 Chestnut Street	59-100-003-00	.15	6,534	LOT 3 DOUGLAS PLAT
69 Washington Street	59-100-004-00	.22	9,583.2	LOT 4 & N 34 FT LOT 5 DOUGLAS PLAT ALSO THAT PT OF THE PUBLIC ALLEY LOCATED BETWEEN WALL ST & CHESTNUT ST FROM THE E LIN OF WASHINGTON ST TO THE W LIN OF WATER ST; A DISTANCE OF ONE BLOCK SEC 16 T3N R16W
67 Washington Street	59-100-005-00	.25	10,890	LOT 5 EX N 34 FT & LOT 6 DOUGLAS PLAT.

Table 1 – Subject Parcel Information

**Background and Request.** The parcel located at 57 Chestnut contains a two-story home and has been used as a rental property for several years. The parcel located at 69 Washington is vacant, and 67 Washington is occupied by “the red barn”, which is currently empty. The parcels at 27 and 31 Water Street and 62 Chestnut Street are also under the same ownership as the subject parcels.

We have had several pre-application conferences with the applicant to discuss the project, and the City's procedures for the review of development proposals and rezoning requests, permitted land uses in residential districts, and future land uses as laid out in the City's Master Plan. The application narrative indicates that the applicant is seeking to build a multifamily development within a single building on the rezoned parcels. These parcels would be provided access to the lake through 27 Water Street, which would be developed with additional amenities such as a pier with private boat slips on

Kalamazoo Lake and a swimming pool. In our pre-application conferences, we explored the potential for developing the property as a PUD due to the uniqueness of the described overall development plan. This could include all the parcels under the owner's control in this area, however, these parcels would not meet the required 2-acre minimum size for a PUD. We also discussed the possibility of vacating Water Street from Wall Street to Chestnut, and Chesnut from Water Street to Washington, to further facilitate the development. However, the applicant indicated that they were not interested in pursuing street vacation and have therefore limited the request to only include the three parcels outlined in red in Figure 1.

**Procedure.** The Planning Commission is tasked with reviewing the request to rezone the subject parcels and making a recommendation to the City Council to approve, deny, or table the request. If the City Council approves the rezoning request, the applicant can then apply for the proposed development. At this stage, a site plan is not required to be submitted in conjunction with the request to rezone the property; however, the longer-term plans for the property and the context surrounding the application may impact the Planning Commission's thinking as it evaluates the request.

The applicant has submitted a narrative that describes a multifamily project and some of the uses that are planned on the parcels under common ownership, but this should not be considered binding, should the rezoning be approved.



Figure 1 – Parcels under common ownership. Parcels outlined in blue are the subject parcels proposed for rezoning. Parcels outlined in red are owned by AMK Holdings and part of the overall conceptual development

**Review.** Section 28.05 outlines the required information that must be submitted by the petitioner. We have determined that the application is complete, thus, we have reviewed and considered the factors listed in Section 28.06, Planning Commission Recommendations. These factors are listed below, along with our analysis of each.

1. *In reviewing any application for an amendment to this Ordinance, the Planning Commission shall identify and evaluate all factors relevant to the application and shall report its findings in full along with its recommendations for disposition of the application, to the City Council within a reasonable period. The matters to be considered by the Planning Commission shall include, but shall not be limited to the following:*

- a. ***What, if any, identifiable conditions related to the application have changed since the existing zoning district was established that justify the proposed amendment?***

**Remarks:** In the response to this question on the rezoning application, the applicant cites the dates of adoption of the zoning map and the future land use map in the 2016 Master Plan. While the Zoning map was updated in 2014, and this is the official zoning map for the City, the R-3, Neighborhood Conservation district was not established or created in 2014. The 1998 zoning map depicts the subject parcels and surrounding area as R-3, so we know that it's been R-3 since at least 1998.

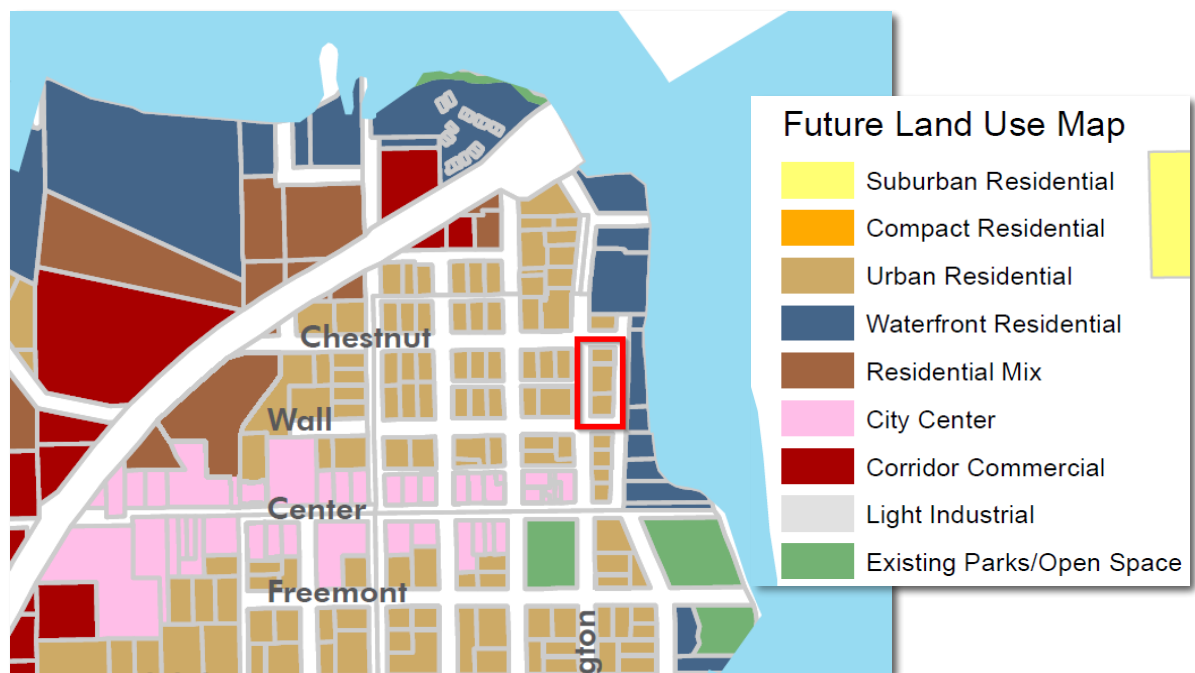
The proposed rezoning from R-3 to R-4 *may* be viewed as a step in the right direction as it relates to combating the housing shortage since the R-4 district allows multifamily developments as a special land use. A multifamily development would add to the housing stock and may be more affordable than single-family. However, as explained in Factor e. below, the rezoning request requires that the Planning Commission consider the *range* of land uses that would be permitted in R-4, since the straight rezone to R-4 is not required to be tied to a site plan that must later be adhered to, and there is no guarantee that the property owner will pursue a multifamily development. Further, a rezoning to Harbor Residential may not make sense for property that does not have any water frontage, particularly since there is no guarantee that the other property owned by the applicant would be incorporated into a cohesive project that aligns with the purpose and intent of the R-4 district.

The Planning Commission will need to determine if the changes that have occurred within the community since the earliest known establishment of the R-3 zoning district (1998) would warrant the rezone from R-3 to R-4.

- b. ***What are the precedents and the possible effects of such precedents that might result from the approval or denial of the petition?***



**Remarks:** Factor f. below describes in greater detail the importance of using the City's Master Plans as policy guides for making decisions on rezoning requests. The Future Land Use chapter in the Master Plan contains a zoning plan, which provides guidance on compatible zoning districts for each future land use designation. Figure 2 provides the future land use (FLU) designation and zoning plan recommendation for the subject parcels. The 2016 Master Plan designates the subject parcels as *urban residential* and the associated zoning plan names R-2 as the primary compatible zoning district and C-1 as the potentially compatible zoning district. The parcels located at 27 and 31 Water Street are FLU-designated as *waterfront residential* which does align with the primary compatible zoning district of R-4, however, they are not included in the rezoning request, and the City does not have reasonable assurance that they will be tied to any future development of the subject



Future Land Use Designation	Primary Compatible Zoning District(s)	Potentially Compatible Zoning District
Suburban Residential	R1	R1, R2
Compact Residential	R3	R1, R2
Urban Residential	R2	C1
City Center	C1	None*
Residential Mix	R5	C1
Waterfront Residential	R4	R5
Corridor Commercial	C2	C1
Light Industrial	L1	C2
Existing Parks and Open Space	Any	Any

\* A zoning district which completely supports the vision of these land use categories does not currently exist; and should be included in a future form based code.

Figure 2 – 2016 Master Plan, Future Land Use Map and Zoning Plan

parcels. The waterfront parcels are shallow, in the floodplain and may contain wetlands, so they could be nearly unbuildable without variances. Even if they were totally unencumbered by these factors, it would be inadvisable to develop the property with the amenities envisioned by the applicant without any assurance that they will be used for the multi-family project over the long term. If they were included in the rezoning request along with the subject parcels and somehow tied to their future development, the perception of whether the request may be viewed as “spot zoning” would perhaps be diminished.

This factor asks the Planning Commission to determine whether a precedent would be set by the approval of the zoning from R-3 to R-4. The Planning Commission may wish to consider whether the approval of a rezone to R-4 without the alignment of the FLU designation and the recommendations of the zoning plan, or the fact that no other parcels in the vicinity are zoned R-4, would risk setting a precedent of “spot zoning”.

- c. What is the impact of the amendment on the ability of the City and other governmental agencies to provide adequate public services and facilities, and/or programs that might reasonably be required in the future if the proposed amendment is adopted?***

**Remarks:** The amendment is not anticipated to negatively impact the City’s ability to provide utilities or other public services such as fire and police services. It should be noted that Water Street is a sub-standard public street and was not included in the inventory of roads marked for improvements in the most recent rounds of road improvements within the City. Further detail is provided in Factor e. regarding the range of uses that would be permitted in the R-4 zoning district. The width of the road should be taken into consideration as it relates to some of the uses that are permitted by right, and whether its substandard width would be problematic in supporting those land uses.

- d. Does the petitioned district change adversely affect environmental conditions or the rights of a neighboring property owner?***

**Remarks:** The neighborhood contains a mix of historic and modern homes. Many have a view of Wade’s Bayou and Kalamazoo Lake. The R-4 district is intended “to preserve the visual integrity of the District including the preservation of important harbor views”. This intent is further supported by the height restrictions in Article 7, Harbor Residential District, for buildings constructed within 150’ of the water’s edge. Regardless of the zoning district, the “rights” to the view are only perceived, as the Zoning Ordinance does not contain provisions for required view preservation.

Therefore, we do not believe that any rights of neighboring property owners would be infringed upon with the approval of the rezone.



Figure 3 – Area views of Kalamazoo Lake

The range of uses must be considered when determining whether any adverse effects, such as environmental, would be anticipated. Because the properties do not have frontage on the water, a marina (which involves dredging), would not be a feasible land use on the subject parcels. It should be noted that a minor marina is permitted in the current R-3 zoning district. We do not foresee any adverse effects on the environment as a result of a rezoning.

**e. *Is the class of uses permitted in the district appropriate for the location proposed to be rezoned?***

**Remarks.** Figures 4 and 5 provide the uses that are permitted by right and permitted by special land use approval in R-4 and R-3, respectively. The range of land uses permitted in R-4 comes with a range of intensity, with the more intense uses being permitted only with special land use approval. The zoning plan from the 2016 Master Plan, as shown in Figure 2, indicates the compatible and potentially compatible zoning districts for parcels with a future land use designation of *urban residential*. The potentially compatible zoning district listed is C-1, which would allow similarly intense land uses as R-4 and *could* be considered in a rezoning request of any R-3 zoned parcels.

The Planning Commission must determine whether any of the uses in the R-4 zoning district are not appropriate for this particular location.

**A. Permitted Uses**

- ◆ Accessory Use, when accessory to permitted use
- ◆ Child Family Day Care Home
- ◆ Conservation areas public or private including, wetlands, sand dunes, and similar uses
- ◆ Dwelling, One Family
- ◆ Dwelling, Two Family
- ◆ Essential Public Services
- ◆ Neighborhood Parks
- ◆ Outdoor Public Recreation

**B. Special Land Uses (cont.)**

- ◆ Home Occupation, major subject to Section 26.19
- ◆ Marina including Marina Hardware and Retail Sales, subject to Section 26.20
- ◆ Multiple Family Development, subject to Section 26.24 and the City of Douglas Design Guidelines for Multifamily Development
- ◆ Place of Public Assembly, small subject to Section 26.29
- ◆ Private Recreation Facility, subject to Section 26.27
- ◆ Professional Service Establishment, subject to Section 26.28
- ◆ Residential Use of an Accessory Building, subject to Section 26.30
- ◆ Schools subject to Section 26.31
- ◆ Studio for Performing/Visual Arts, subject to Section 26.33
- ◆ Adult Foster Care/Child Foster Family Facility, subject to Section 26.01
- ◆ Bed & Breakfast, subject to Section 26.05
- ◆ Buildings associated w/ Public Facilities, subject to Section 26.29
- ◆ Cemeteries/Mausoleum, subject to Section 26.07
- ◆ Child Care Center/Adult Day Care Facility, subject to Section 26.08
- ◆ Convalescent or Nursing Home, subject to Section 26.11

Figure 4 – Section 7.02, District Summary: Uses Permitted by Right and by Special Land Use in **R-4, Harbor Residential**.

**A. Permitted Uses**

- ◆ Accessory Use, when accessory to permitted use
- ◆ Conservation areas public or private including, wetlands, sand dunes, and similar uses
- ◆ Dwelling, One-Family
- ◆ Dwelling, Two-Family
- ◆ Essential Public Services
- ◆ Child Family Day Care Home
- ◆ Home Occupation, Minor (See 16.04)
- ◆ Neighborhood Parks
- ◆ Outdoor Public Recreation

**B. Special Land Uses**

- ◆ Bed & Breakfast, subject to Section 26.05
- ◆ Buildings associated w/ Public Facilities, subject to Section 26.29
- ◆ Cemeteries/Mausoleum, subject to Section 26.07
- ◆ Home Occupation, Major, subject to Section 26.17
- ◆ Marina, Minor, subject to Section 26.20
- ◆ Residential Use of an Accessory Building, subject to Section 26.30

Figure 5 – Section 6.02 District Summary: Uses Permitted by Right and by Special Land Use in **R-3, Neighborhood Conservation District**

**f. Does the petitioned district change generally comply with the Tri-Community Comprehensive Plan or a subsequent document that guides land use and development decisions in the City of the Village of Douglas?**

**Remarks:** The Planning Commission should take into consideration the goals and vision of the 2016 Master Plan. As noted in previous sections of this memorandum, the Master Plan guides as it relates to land use decisions. The proposed R-4 zoning district does not align with the zoning plan, however, the Planning Commission does have the discretion and authority to recommend approval on a rezone that does not align exactly with the zoning plan, particularly when property directly adjacent to the subject properties are within a compatible future land use designation.

The Future Land Use map and zoning plan are not the only areas within the Master Plan that the Planning Commission should consider. The text that describes the future land use designation is also valuable in aiding in the decision-making process.



**Urban Residential (up to 6 du/ac)**

Intent: To address the need for denser housing options that help to protect open space by utilizing higher densities while providing a mix of housing for families of varying income levels. These uses are typically located just outside of the city center.

Desired Building Types:

- Single-family detached house
- Accessory dwelling units



**Waterfront Residential (Density Varies)**

Intent: To address single-family and multi-family residential uses which abut Kalamazoo Lake and Wade's Bayou. These uses may also be adjacent to or in close proximity to the marina, accommodating single-family residences and resort or tourist lodging consistent with the natural, waterfront setting of the area. Marina and other waterfront uses may be considered as special land uses. Development in these areas will be encouraged to preserve views of the water bodies and restricted from disturbing any environmentally-sensitive areas.

Desired Building Types:

- Frontage south of Wade's Bayou, single-family detached
- Frontage along Kalamazoo Lake, single-family, large and small multi-plexes

**g. What is the ability of the property in question to be put to a reasonable economic use in the zoning district in which it is presently located?**

**Remarks:** This factor asks the Planning Commission to consider whether the subject parcels can be reasonably used as zoned and whether those uses would be of economic value. A single-family home is a permitted use and has economic

value. The applicant's response to this factor seems to point to the *financial* feasibility of the subject parcels being developed under R-3 zoning stating that, "the number of units allowed would not support the costs of development." Economic value and financial return, while related, have different meanings in the context of a rezoning request. Economic value considers a wider range of variables, one of them being financial return, as it relates to the benefits to the community, potential environmental impacts, and the priorities of the community. Financial return relates primarily to the profitability of an investment, not necessarily tied to the same community-specific variables that economic value is.

We would consider the subject parcels capable of supporting a reasonable economic use under the current R-3 zoning district.

**Final Thoughts.** This rezoning request is somewhat tricky. While the City would like to see improvements in this area, we are concerned that absent a comprehensive plan to develop the land owned by the applicant, there is no guarantee that the land will be developed in a thoughtful, cohesive manner. While the applicant's conceptual plans for land uses on the group of parcels under common ownership sound appealing, the City does not have any reasonable assurance that these ideas will come to fruition. Factors can change. The land could be sold. Other plans may become more attractive. Without somewhat of a "master plan" for the remainder we are hard-pressed to recommend the approval of the rezoning as presented. The applicant has indicated that the subject parcels would be proposed for a multifamily development that has access to the waterfront through the Water Street parcels, where a swimming pool, dock and private boat slips, and other private amenities for the residential development. In order for all these pieces to come together, several other approvals would need to be sought, all with specific requirements and standards that must be met. Seeking these approvals in a disconnected and uncoordinated manner offers no benefits and invites future complications for the City.

The Planning Commission has made favorable recommendations in the past on rezoning proposals for a zoning district that does not align with the primary compatible zoning district as recommended in the Master Plan's zoning plan. However, those decisions were made with all variables being taken into consideration and with a desire to see positive change in a specific area within the City. As a reminder, the Master Plan is a guide that sets policies for future uses, residential and non-residential growth, and preservation of uses and lands within the City. It is not a law, which means that the Planning Commission has some discretionary authority as it relates to making decisions on rezoning requests.

We have expressed our general support for the conceptual development ideas that the applicant has conveyed to us. Unfortunately, in a rezoning request for three of the parcels that are not assuredly connected to the other parcels under common ownership in a unified development plan, we would rely on the Planning Commission's determination of whether the



rezoning standards are met. Given the totality of the information presented, we are not convinced that they are.

**Recommendation.** At the March 14<sup>th</sup>, 2024 meeting, the Planning Commission should carefully consider the comments expressed by the public, the applicant, and fellow Commissioners in making its decision on a recommendation to the City Council for the request to rezone the subject parcels located at 57 Chestnut St., 69 Washington St., and 67 Washington St. from R-3, Neighborhood Conservation District to R-4, Harbor Residential district. We recommend that the Planning Commission rely on the findings stated in this report, along with other factors deemed relevant in its decision to forward a recommendation to the City Council. It should be noted that, procedurally, the applicant has the right to move forward with the first and second reading of the rezoning request at the City Council, even if the recommendation made by the Planning Commission is not favorable.

As always, please feel free to contact us with any questions or comments.

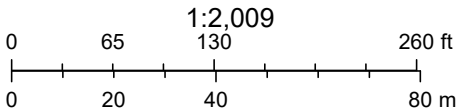
Custom Parcel Map

Item 5A.



3/8/2024, 1:42:25 PM

- Property Address Label
- Acreage Label



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## ARTICLE 7: R-4 HARBOR RESIDENTIAL DISTRICT

### Section 7.01 Intent

It is the intent of the R-4 Harbor Residential District to provide for residential development densities and uses consistent with the Tri Community Comprehensive Plan and the character of the area. The R-4 District is intended to provide higher density housing opportunities in close association with the City's harbor area while also permitting limited nonresidential land uses, which are fundamental components of the harbor area and which play significant roles in supporting the desired character of the harbor area and its residential neighborhoods. It is the intent of this District to stabilize, protect, and encourage the residential character of the District, prohibit activities not compatible with the current and future intended harbor character, and preserve the visual integrity of the District including the preservation of important harbor views. It is further intended that new buildings be aesthetically compatible in design and appearance with the general character of buildings in this district.

The R-4 Harbor Residential District is intended to implement the planned residential and recreational character of the City's harbor area as presented in the TriCommunity Comprehensive Plan.

### Section 7.02 District Summary

#### **A. Permitted Uses**

- ◆ Accessory Use, when accessory to permitted use
- ◆ Child Family Day Care Home
- ◆ Conservation areas public or private including, wetlands, sand dunes, and similar uses
- ◆ Dwelling, One Family
- ◆ Dwelling, Two Family
- ◆ Essential Public Services
- ◆ Neighborhood Parks
- ◆ Outdoor Public Recreation

#### **B. Special Land Uses**

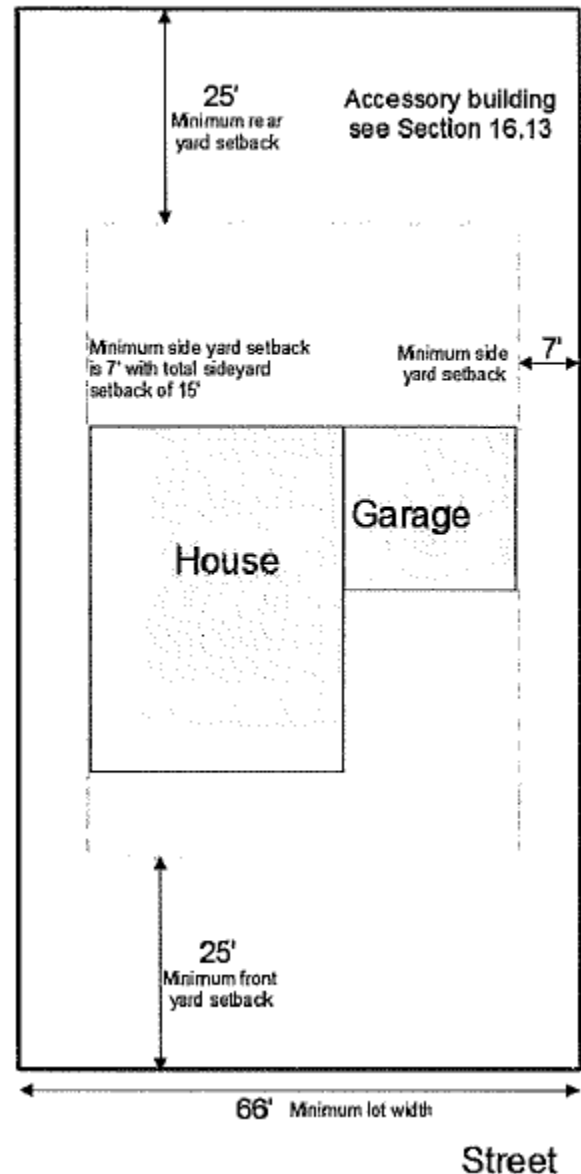
- ◆ Adult Foster Care/Child Foster Family Facility, subject to Section 26.01
- ◆ Bed & Breakfast, subject to Section 26.05
- ◆ Buildings associated w/ Public Facilities, subject to Section 26.29
- ◆ Cemeteries/Mausoleum, subject to Section 26.07
- ◆ Child Care Center/Adult Day Care Facility, subject to Section 26.08
- ◆ Convalescent or Nursing Home, subject to Section 26.11

#### **B. Special Land Uses (cont.)**

- ◆ Home Occupation, major subject to Section 26.19
- ◆ Marina including Marina Hardware and Retail Sales, subject to Section 26.20
- ◆ Multiple Family Development, subject to Section 26.24 and the City of Douglas Design Guidelines for Multifamily Development
- ◆ Place of Public Assembly, small subject to Section 26.29
- ◆ Private Recreation Facility, subject to Section 26.27
- ◆ Professional Service Establishment, subject to Section 26.28
- ◆ Residential Use of an Accessory Building, subject to Section 26.30
- ◆ Schools subject to Section 26.31
- ◆ Studio for Performing/Visual Arts, subject to Section 26.33

**C. Site and Building Placement Standards**

Minimum Lot Area: (square feet)	One family	7,920
	Two family	10,000
	Multi-Family	20,000
Minimum Lot Frontage:	One family	66 ft.
	Two family	80 ft.
	Multi-Family	100 ft.
Maximum Lot Coverage:		35%
Minimum Setbacks:		
Front:		25 ft
Side:		7 ft min/15ft total
Rear:		25 ft.
Minimum Floor Area:		
One Family		1,000 sq. ft.
Two Family		
One Bedroom		650 sq. ft.
Two Bedroom		750 sq. ft.
Three Bedroom		900 sq. ft.
Each additional		+100 sq. ft.
Maximum Principal Building Height:		
		28 ft.
		(See 7.03 A.)
Floor Area Ratio		
		0.4
(See Schedule of Regulations)		

**R-4 Residential****Section 7.03 Notes**

- A. Shoreline Structures (Exclusive of Single Family Dwellings): Any portion of a building or structure, exclusive of one family dwellings, constructed or established within 150 feet of the shore or bulkhead, as defined under Chapter 62 of the General Ordinances of the City of the Village of Douglas, shall not exceed a maximum height of twenty-four (24) feet. Maximum height is to be measured from finished grade to the highest point of the roof structure. All construction within 150 feet of a shoreline or the river's edge shall be subject to the standards of the Waterfront Construction Ordinance (Chapter 151 of the Douglas Code of Ordinances)

- B. Multiple Family structures and related uses and structures shall be designed in accordance with the standards of Section 26.24 of this ordinance as well as the City of Douglas Design Guidelines for Multi-Family Development.
- C. Multiple Family Building and Court Dimensions
  - 1. The front and rear of the multiple family building shall be considered to be the faces along the longest dimension of said building or the front of the multiple building shall be considered to be the direction indicated on the drawings by the designer provided it is not inconsistent with the floor plan of the individual unit; and the side of the multiple family building shall be considered to be the face along the narrowest side of said building.
  - 2. No multiple family building shall exceed one hundred twenty (120) feet in length along any one face of the building.
  - 3. Any court shall have a width equal to not less than fifty (50) feet for the front yard and sixty (60) feet for the rear yard. The depth of any court shall not be greater than three (3) times the width.
- D. Each multi-family dwelling unit shall contain the same minimum total floor area as two-family dwellings (listed above) except for efficiency/studio units which shall have a minimum of four hundred (400) square feet.
- E. Multiple family dwellings shall not exceed a density of six (6) dwelling unit per buildable area on the site. Buildable area is defined as that area of the site exclusive of right-of-way, wetlands, floodplain, steep slopes (over 20%), or other areas of the site rendered unbuildable due to environmental conditions.
- F. The distance between buildings shall be a minimum of thirty (30) feet.

# HOUSING AND NEIGHBORHOODS

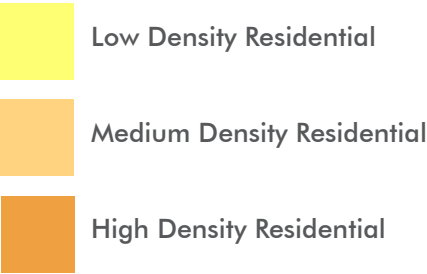




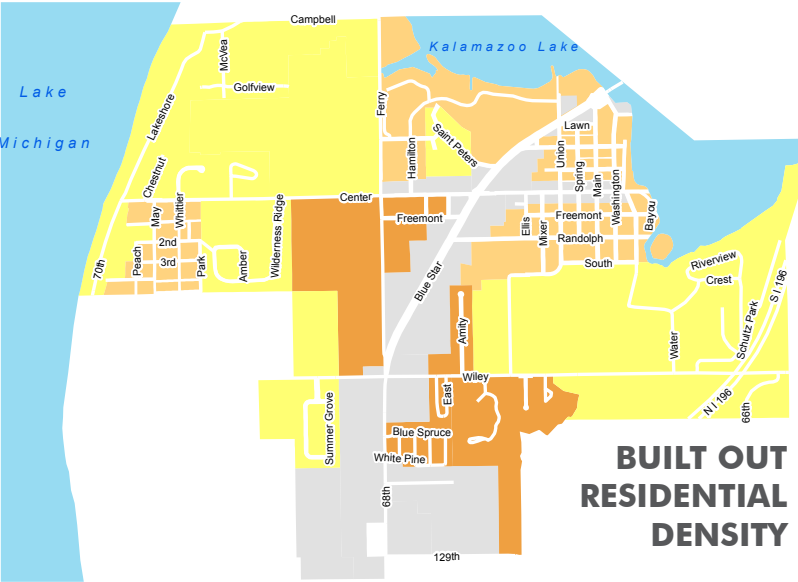
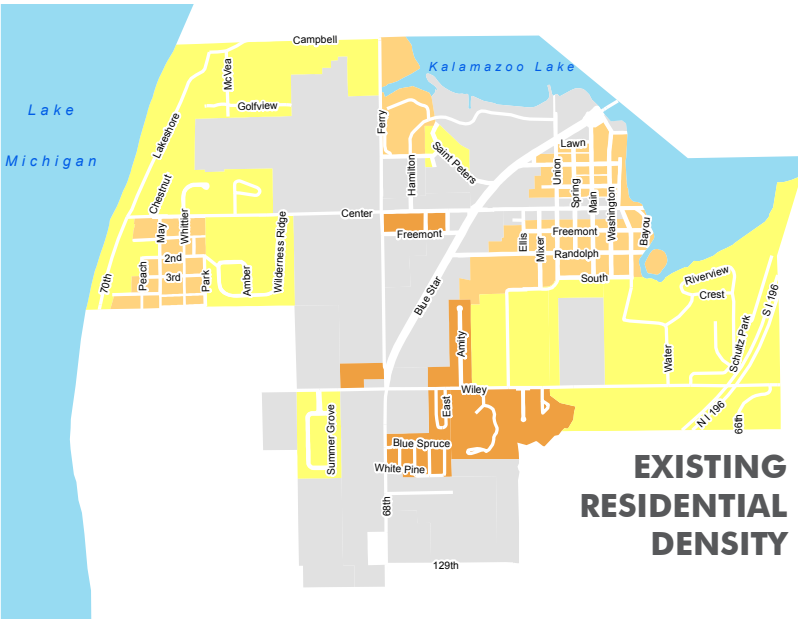
# Existing Conditions

There is an underlying need for more year-round residents to support strong neighborhoods, schools and a robust economy. Existing neighborhood character types range from high density single-family development, medium density residential in some of the older residential districts downtown, and low density, primarily seasonal homes along the waterfront. Residents see the potential of the Miro Property to accomplish a variety of housing goals, including mixed housing types of condos/stacked flats, live/work space, mixed use, rowhouses and single-family detached units.

The maps shown at right display the current and potential build-out densities of residential areas. The map at top shows displays current residential density, while the map at right shows the capacity of full build out, based upon the Douglas Zoning Ordinance. High density residential zoning districts are shown in dark orange, medium density is shown in orange and low density is shown as yellow.



\* Areas shown in gray are non-residential



## Existing Conditions

While home types in the region vary, single family detached housing is the most prominent in the region.

In the west portion of the city, land uses consist primarily of large lot residential housing. In areas closer to downtown, home types consist of small lot single family residential and duplex housing.

- Low Density Residential (examples at top-right) is characterized by large lot, single family homes located primarily west of downtown and along the Lake Michigan waterfront
- Medium Density Residential (examples at middle-right) is characterized by midsize lot, single family homes and duplex homes located in close proximity to downtown and near the Kalamazoo Lake waterfront. A number of these lots include accessory units behind the principle living units.
- High Density Residential (example at bottom-right) is characterized by multifamily apartment units, lofts, live-work units and condominium units located primarily downtown along Center Street.



## Strategic Direction

### HOUSING AND NEIGHBORHOODS

Create inclusive and inviting residential areas for seasonal and permanent homeowners and renters.

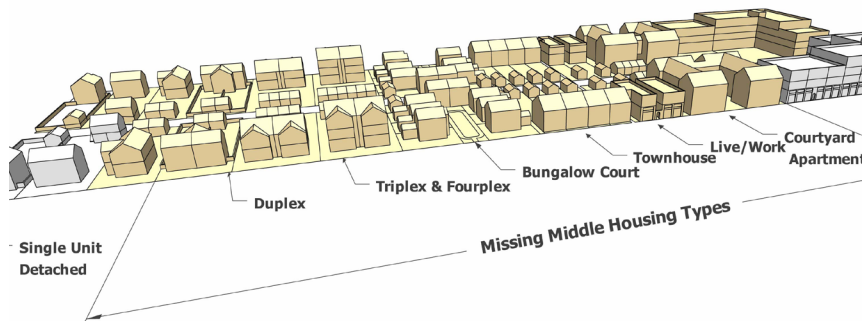


## Community Values

- We value connected, walkable, neighborhoods that feature a variety of housing types.
- We value people of all ages, backgrounds and lifestyles who wish to reside in our community.
- We seek to build our community through strong neighborhoods reflecting a diversity of housing types and opportunities for all.
- We value parks and recreation amenities, located within close proximity to neighborhoods, and connected to those neighborhoods via bike trails and sidewalks.

## Goal 1

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



## Objectives

1. Integrate mixed-use live/work spaces into existing buildings in Downtown Douglas, provided that ground floor uses remain active.
2. Ensure that owner-occupied and rental housing is available and affordable in new master-planned development projects.
3. Encourage housing communities for “aging in place” and housing communities that are LGBTQ+ friendly, featuring a range of lifestyle amenities.
4. Ensure housing stock is inclusive of all age groups and attractive to the younger demographic.
5. Amend the non-conforming section of the zoning ordinance to allow rebuilding on existing footprint as administrative approval.



## Goal 2

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



## Objectives

1. Explore opportunities for a senior housing complex featuring services and amenities geared towards active adults including: recreation, arts and health services, along with banking, shopping and other service-based industries.
2. Allow accessory dwelling units by right in R-1, R-2 and R-4 zoning districts.
3. Facilitate infill housing through density standards and unit size allowances.
4. Ensure existing housing stock is adequately served by utilities, and water pressure is sufficient to maintain public safety requirements.
5. Allow for “missing middle” housing types within walking distance to the city center and Douglas Elementary school to facilitate walkability.

## 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.



## Objectives

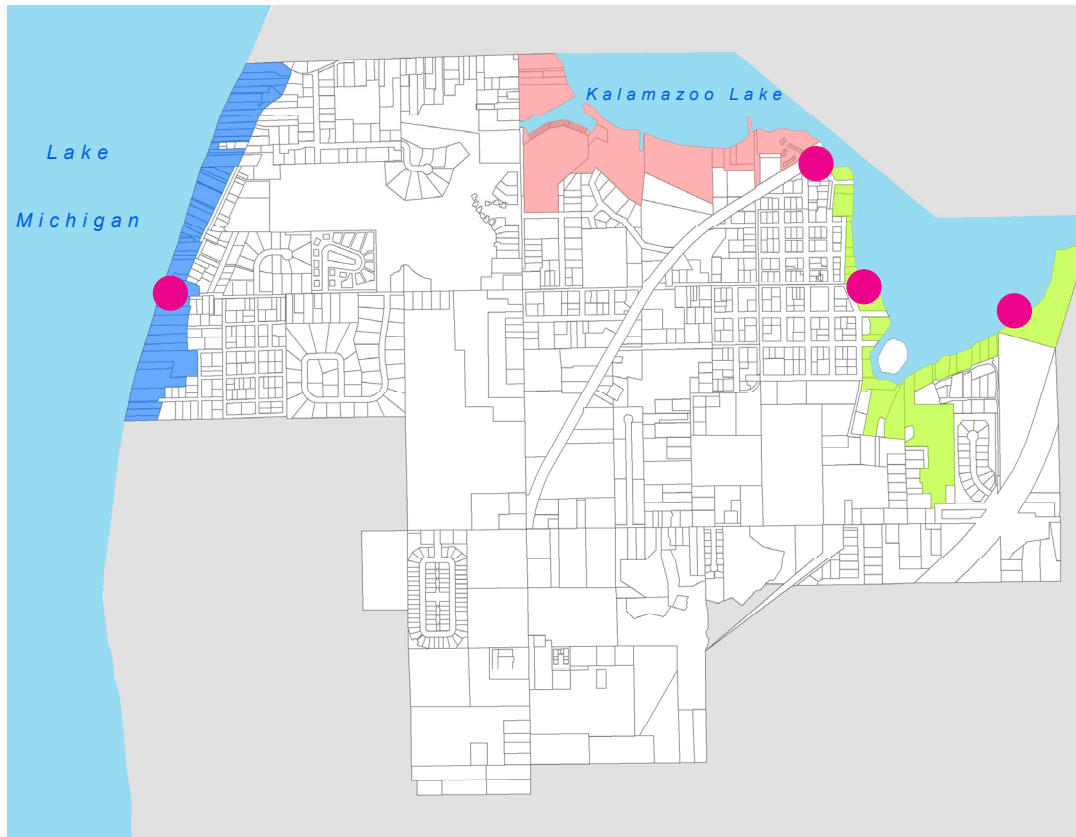
1. Require sidewalks for all new development within the City.
2. Consider a sidewalk installation and maintenance strategy for streets within ½-mile of downtown Douglas and Douglas Elementary School.
3. Complete the Beach to Bayou trail and Blue Star Highway pathway.
4. Enhance Washington Street to accommodate a marked pedestrian route from Downtown Douglas/Center Street north to Blue Star Highway.
5. Continue to invest in and maintain parks and recreation facilities.



# WATERFRONT



## Existing Conditions



The map shown shows all lakefront property in the City of Douglas by parcel layer. The majority of the parcels shown along the waterfront are private, with the exception of Douglas Beach on Lake Michigan and Wade's Bayou Park, Veterans Park and Shultz Park on Kalamazoo Lake (shown as pink dots).

It is most likely that public property can be acquired and eventually developed for commercial waterfront used in the area marked in pink along Kalamazoo Lake, while more passive recreation uses are desired in the areas marked by green, along Douglas Harbor.

### Parcel Location

- Wade's Bayou Park / Shultz Park
- Kalamazoo Lake / Veteran's Park
- Lake Michigan / Douglas Beach

Douglas thrives as a Lake Michigan coastal community, and also has ample shoreline along Kalamazoo Lake; however, both water bodies are heavily privatized. There is a strong desire for more opportunities to connect Douglas residents and visitors with new waterfront public spaces to relax, recreate and enjoy.

## Strategic Direction

### THE WATERFRONT

Incorporate mixed-use development with public and private spaces to create a dynamic, user-friendly waterfront.



## Community Values

- We value our waterfront resources and seek to preserve their natural beauty while fully utilizing their presence for transportation, recreation, economic sustainability and tourism.
- We value public spaces where people can enjoy the natural surroundings that Douglas has to offer.
- We value the consideration and thought that goes into our land use and water resource decisions, and encourage transparent dialogue to occur around our community's decisions impacting the waterfront.

## Goal 1

Douglas will enable balanced preservation, enhancement and redevelopment of the waterfront for business, housing and recreational uses.



## Objectives

1. Preserve views and access to the waterfront.
2. Allow a mix of medium density commercial and residential development on North Kalamazoo Harbor integrated with public space and access to the waterfront.
3. Re-envision Douglas Harbor by improving the entry through signage and landscaping, enhance parking by designating spaces and using pervious paving materials, build a focal point at the terminus of Center Street and connect the Bayou other community parks and public spaces through a waterfront perimeter trail.
4. Maintain the quiet, non-motorized recreation use of South Kalamazoo Harbor and Veteran's Park by encouraging passive recreation such as fishing docks, picnicking, public boat docks and kayak/canoe boat launches.

## Goal 2

Douglas will require the provision of public spaces and public access to the North Kalamazoo Harbor and along Douglas Harbor as conditions of potential future redevelopment.

## Objectives

1. Treat the waterfront as a public frontage, requiring public access easements and trail (or boardwalk) with any new development or redevelopment project.
2. Enhance the public parking area adjacent to the Blue Star Highway underpass at Washington as a community gathering space for access to the water through underpass lighting, seating, landscaping and pervious paving.





## Goal 3

Douglas will focus on the environmental remediation of the waterfront and protect the shore for passive recreation uses.

## Objectives

1. Douglas will utilize a thoughtful mix of public and private investment to generate long term sustainable revenues and funding sources to address environmental remediation, dredging and expansion of public access to the waterfront.





## Waterfront Plan

In 2008 the Kalamazoo Lake Harbor Authority Harbor Committee was formed, consisting of local leaders in Douglas and Saugatuck, and charged with the task of reviewing, evaluating and making recommendations regarding possible harbor dredging and maintenance issues, as well as what actions could be taken to fund these activities.

Edgewater Resources has been working with the Harbor Committee since 2011 on identifying cost effective strategies for long term harbor maintenance, and was asked to work with Douglas to prepare a Waterfront Master Plan for all waterfront properties and key adjacent parcels within the City limits.

The primary purpose of the effort was to work with the community, through a series of stakeholder workshops to identify a financially viable strategy to achieve the community's goals of expanded public waterfront, economic development and a viable long-term funding source for harbor maintenance.

The goal of the Master Plan is to create a waterfront environment that is authentic to the history and character of the Douglas community and attracts locals and tourists alike through its beauty and unique amenities.

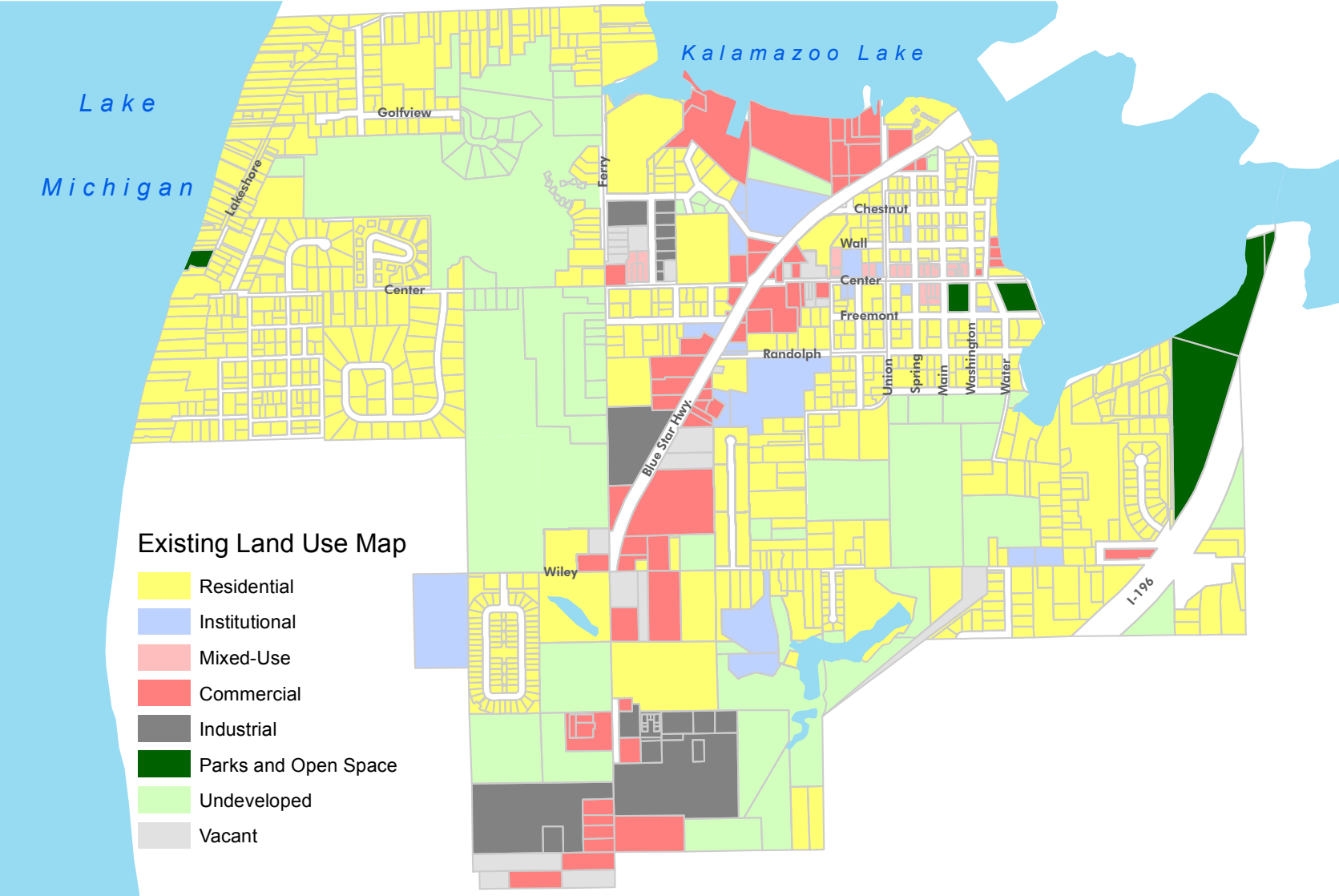
The following objectives were identified:

- Establish a community-supported vision for the future of the harbor.
- Ensure consensus with permitting agencies.
- Outline the most cost effective strategy for achieving that vision.
- Review funding alternatives for making it happen.

Tasks to Help Achieve Objectives

- Prepare an existing conditions analysis of the waterfront.
- Assess existing properties to identify the condition and likely lifespan of site features.
- Develop a land use plan, with written descriptions of uses and building types that will correlate to a future form based code.
- Establish a framework plan outlining alternative potential partnership scenarios.
- Outline a range of potential acquisition scenarios, including high level assessment of value, assessment of economic feasibility and potential funding and/or grant strategies.
- Develop an illustrative plan of the waterfront on which the future form based code will be based.

# Existing Land Use Map



## FUTURE LAND USE

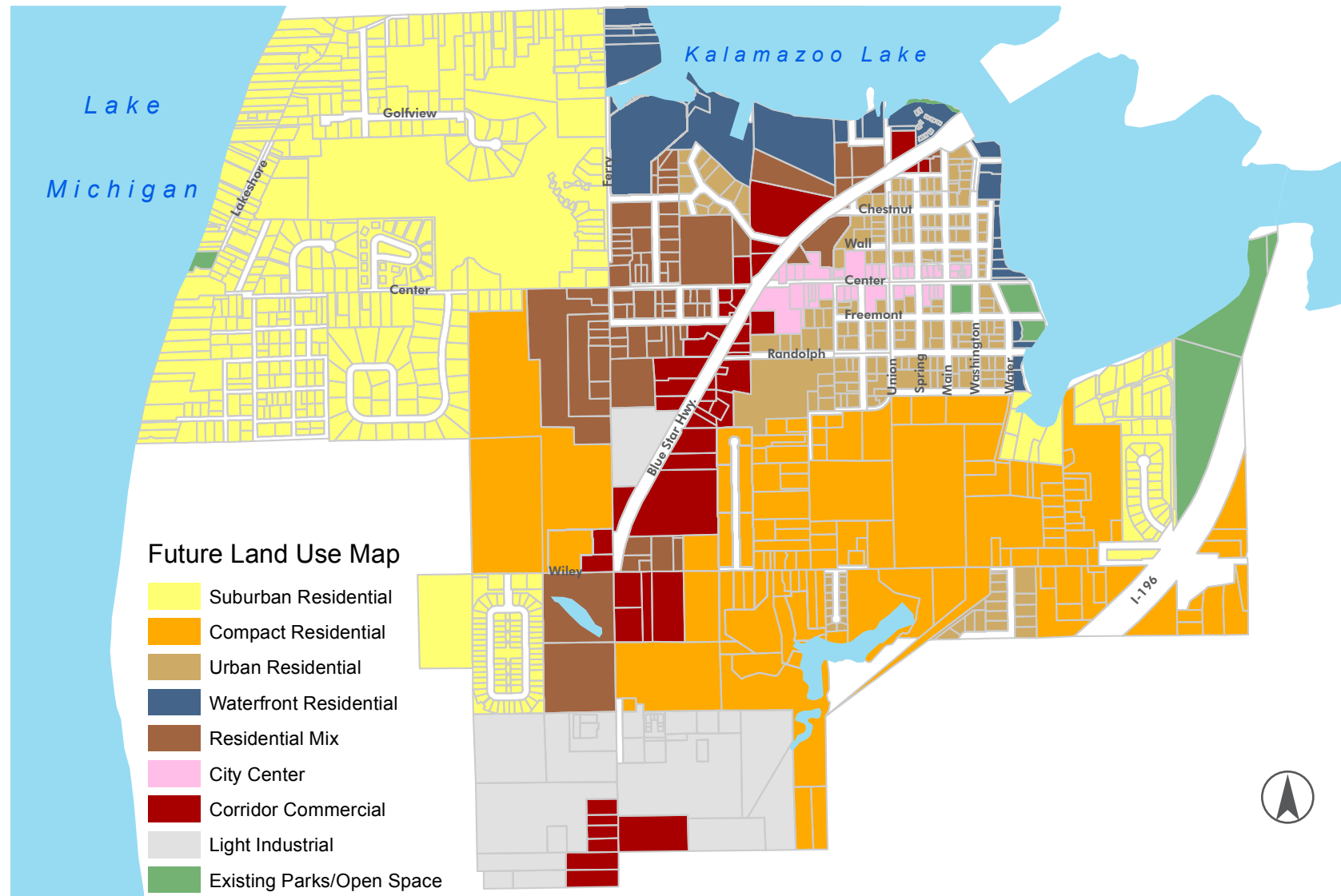
Our Douglas Vision establishes desirable land use patterns to guide growth in the City for the next decade. The future land use plan is a compilation of descriptions and recommendations for future development and green space preservation. It serves as an overall framework for the management and regulation of future development and also serves as the basis for evaluating rezoning requests.

Nine future land use designations have been created and represent the future vision of land use in the City. Each of the designations are described in detail and are organized into one of three land use contexts: RESIDENTIAL, COMMERCIAL and INDUSTRIAL.

The most recent aerial photography of the City was used in combination with site visits and tours of the community to determine the most suitable future land use development pattern. Additionally, the locations of natural features were considered, along with the location of publicly owned lands, parks and nature preserves. The Douglas community values is green space and parks, and it is anticipated that as the community grows, new public parks and open space will be provided.

Finally, the land use vision implements the goals and objectives of the five master plan themes of Economic Development, Housing and Neighborhoods, People, Arts and Culture, Waterfront and Transportation and Mobility.

# Future Land Use Map





# Residential



## Suburban Residential (up to 4 du/ac)

Intent: To address the need and desire for single-family development in a low density suburban pattern. Lakeshore properties should maintain views by having generous setbacks and low building heights.

### Desired Building Type:

- Single-family detached house
- Civic buildings (schools, churches, etc.)



## Compact Residential (up to 8 du/ac)

Intent: To address the need for walkable, mixed-density and mixed-income neighborhoods in close proximity existing commercial corridors.

### Desired Building Types:

- Single-family detached house
- Two-unit
- Courtyard house
- Townhouse
- Apartment house

# Residential



## Urban Residential (up to 6 du/ac)

Intent: To address the need for denser housing options that help to protect open space by utilizing higher densities while providing a mix of housing for families of varying income levels. These uses are typically located just outside of the city center.

### Desired Building Types:

- Single-family detached house
- Accessory dwelling units



## City Center (up to 15 du/ac)

Intent: To address the desire for an identifiable focal point of the City, and provide a walkable mixed-use development pattern where residents from adjacent neighborhoods can obtain goods and services as well as provide for a place to attract those from outside the City. Upper floor residential is encouraged.

### Desired Building Types:

- Mixed-use buildings
- Flex buildings
- Retail buildings
- Note that active ground floor uses are required for buildings and lots with frontage on Center Street

# Residential



## Residential Mix (up to 10 du/ac)

Intent: To provide goods and services for adjacent neighborhoods and industrial areas as well as provide for additional housing opportunities via live-work buildings. Residential Mix uses may include small-scale retail, small contractor's offices, eating and drinking establishments, personal service establishments, professional and support offices and medical facilities.

### Desired Building Types:

- Single-family detached house
- Courtyard house
- Two-unit
- Live-work
- Townhouse
- Apartment house

Flex  
Retail building

## Waterfront Residential (Density Varies)

Intent: To address single-family and multi-family residential uses which abut Kalamazoo Lake and Wade's Bayou. These uses may also be adjacent to or in close proximity to the marina, accommodating single-family residences and resort or tourist lodging consistent with the natural, waterfront setting of the area. Marina and other waterfront uses may be considered as special land uses. Development in these areas will be encouraged to preserve views of the water bodies and restricted from disturbing any environmentally-sensitive areas.

### Desired Building Types:

- Frontage south of Wade's Bayou, single-family detached
- Frontage along Kalamazoo Lake, single-family, large and small multi-plexes

# Commercial



## Corridor Commercial

Intent: To provide goods and services to meet the needs of the larger Tri-Community Area, typically located along Blue Star Highway. Parking areas should be placed behind new development when possible and buildings shall be built out to the street with limited setbacks to encourage the calming of traffic and pedestrian safety. Uses may include large-scale retail, eating and drinking establishments, personal service establishments, professional and support offices, and medical facilities.

# Light Industrial



## Light Industrial

Intent: To provide employment opportunities for area residents as well as manufactured goods for the Greater Tri-Community Area. The designation is also intended to provide for small-scale industrial activities, research and development operations, shipping establishments, offices, business incubators, educational institutions, or other similar light industrial uses. Light Industrial areas may include retail, eating and drinking establishments, office condominiums, and other such uses that may support employment and workers. These uses would best be suited for areas along Blue Star Highway in the south portion of the city.



## ZONING PLAN

Section 33, (2), (d), of the Michigan Planning Enabling Act (Act 33 of 2008) requires that Master Plans adopted after September 1, 2008 include a Zoning Plan that explains how future land use categories in a Plan relate to the zoning districts incorporated in a community's Zoning Ordinance. The following table relates to the Our Douglas Vision future land use categories with the City's zoning districts.

## Zoning Plan

In considering a request to rezone property in Douglas, the Planning Commission shall consider the future land use map and the future land use descriptions provided in this plan. The Zoning Plan table shall be used to evaluate the degree to which the proposed rezoning is consistent with this plan, together with an evaluation of the specific request. The Planning Commission will also consider whether the proposed site may be reasonably used as it is currently zoned, whether the proposed site is an appropriate location for any and all of the land uses that may be permitted within the requested zoning district, and any potential detrimental impacts on the surrounding properties that could result from the proposed rezoning.

Future Land Use Designation	Primary Compatible Zoning District(s)	Potentially Compatible Zoning District
Suburban Residential	R1	R1, R2
Compact Residential	R3	R1, R2
Urban Residential	R2	C1
City Center	C1	None*
Residential Mix	R5	C1
Waterfront Residential	R4	R5
Corridor Commercial	C2	C1
Light Industrial	L1	C2
Existing Parks and Open Space	Any	Any

\* A zoning district which completely supports the vision of these land use categories does not currently exist; and should be included in a future form based code.

Due to the structure of the Zoning Ordinance, the Planning Commission and City Council should pay particular attention to any and all uses permitted in a zoning district as well as any uses that may be permitted in a less restricted or intense zone. In all cases, the Zoning Plan shall be applied as a guideline for the Planning Commission subject to the appropriate application of the discretionary authority permitted to the Planning Commission and the City Council by statutory authority, case law, and good planning practice. Nothing in the Zoning Plan will preclude the Planning Commission and the City Council from considering amendments to this Master Plan to better serve the public interests of the community.



February 20, 2024

Ms. Tricia Anderson  
Planning Department  
City of the Village of Douglas  
86 W Center Street/PO Box 757  
Douglas, MI 49406

RE: Water Street – Rezone Application  
Allegan County, Michigan

Dear Ms. Anderson:

Per your conversation with Max Nykerk at Lakewood construction, the application for Re-Zoning at 57 Chestnut Street, 69 Washington Street, and 67 Water Street has been revised to a proposed zoning district of R-4. Attached you will find the following documents:

- Application
- Proof of Ownership
- Survey & Legal Description
- Rezone Plan

If you have any questions or require additional information, please feel free to call me at (616) 575-5190 or via email at [choyt@nederveld.com](mailto:choyt@nederveld.com).

Sincerely,

Charles Hoyt  
Project Manager



## Application to Rezone Parcels

Application Fee \$300 + \$2,000 Escrow Deposit  
Payable Online Option at: [tinyurl.com/PayItOnline](https://tinyurl.com/PayItOnline)

*The Village of Friendliness - Since 1870*

### PART 1

#### Property Information:

Address(es) of Parcel(s) to be rezoned: 57 Chestnut Street, 69 Washington Street, 67 Washington Street

Parcel Number(s): 59-100-003-00, 59-100-004-00, 59-100-005-00 Property Size (in acres): 0.15 Ac, 0.22 Ac, 0.25 Ac

Current Zoning of Parcel(s): R-3 Proposed Zoning District(s): R-4

Existing Use of Property: Residential & Vacant Proposed Use of Property: Multi-family Residential Building

#### Property Owner Information:

Name: AMK Holdings LLC

Phone Number: \_\_\_\_\_ Email Address: \_\_\_\_\_

Address / PO Box 6971 N Maple Road City: Saline State: MI Zip: 48176

#### Applicant Information (if different than owner):

Name: Max Nykerk Company: Lakewood Construction Inc.

Phone Number: 616-392-6923 Email Address: mnykerk@lakewoodinc.com

Address / PO Box 11253 James Street City: Holland State: MI Zip: 49424

#### Rezone Application Requirements (Section 28.05):

- ☒ Certified boundary survey with dimensions, boundaries, rights-of-way, and easements and general location.
- ☒ Legal description of the subject parcel(s)
- ☒ Applicant's interest in the property:
  - ☐ Purchase Agreement or Deed
  - ☐ Proof of Ownership
- ☒ Detailed Response to Rezoning Criteria (Part 2 of this Application)
- ☒ PDF of application and supplemental documentation
- ☒ Escrow Policy Acknowledgement

☒ Yes, I have read the City of the Village of Douglas Zoning Ordinance Article 28, Amendments

☒ Fees paid (\$300 non-refundable fee + \$2,000 refundable escrow deposit)

☒ Complete Rezoning application (incomplete applications will not be processed)



## PART 2

## Please provide responses to the following rezoning criteria outlined in Section 28.06:

- a) What, if any, identifiable conditions related to the application have changed since the existing zoning district was established which justifies the proposed amendment? The existing zone district (R-3) was established, as shown on the Zoning Map, on July 16, 2014. The Future Land Use Map, which identifies this site as "Urban Residential", was created by the City of the Village of Douglas Master Plan dated Fall 2016.
- b) What are the precedents and the possible effects of such precedent which might result from the approval or denial of the petition? The precedent set by the approval of this application would be that the City of the Village of Douglas is committed to following the recommendations outlined within the Master Plan. A denial would set the precedent that the Master Plan and its proposed Future Land Use is not the guide for growth that it is described to be.
- c) What is the impact of the amendment on the ability of the City and other governmental agencies to provide adequate public services and facilities, and/or programs that might reasonably be required in the future if the proposed amendment is adopted? Approval of this rezone request will have little to no impact on the City or any other governmental body's ability to provide public services. Public utilities service the site currently and the properties are located within a well populated area.
- d) Does the petitioned district change adversely affect environmental conditions, or the rights of a neighboring property owner? The rezone request will not adversely affect any environmental conditions within the immediate area. The requested rezone to R-4 allows for permitted uses which are low-impact to the surrounding environment. The rights of the neighboring properties are currently similar to those of the R-4 zone district as there are several multi-tenant buildings.
- e) Is the class of uses permitted in the district appropriate for the location proposed to be rezoned?
- ☒ Yes      ☐ No
- f) Does the petitioned district change generally comply with the Tri-Community Comprehensive Plan, or a subsequent document that guides land use and development decisions in the City of the Village of Douglas?
- ☒ Yes      ☐ No      If , no, explain: \_\_\_\_\_
- g) What is the ability of the property in question to be put to a reasonable economic use in the zoning district in which it is presently located? The current zoning only allows for single family or two family homes on the site. This limits the economic viability of the site significantly as the number of units allowed would not support the costs of development.

**Signatures: Section 28.05 requires the signature of BOTH owner and applicant (if different from owner)**

Item 5A.

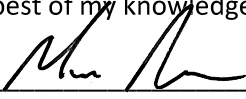
I, Jack Brown (Owner), hereby attest that the information on this application form is, to the best of my knowledge, true and accurate.

  
\_\_\_\_\_  
Signature of Owner

1/29/2024

\_\_\_\_\_  
Date

I, Max Nykerk (Applicant), hereby attest that the information on this application form is, to the best of my knowledge, true and accurate.

  
\_\_\_\_\_  
Applicant

1/30/2024

\_\_\_\_\_  
Date

**FOR INTERNAL USE ONLY**

**CITY OF DOUGLAS ZONING REVIEW**

Approved ☐ Conditional Approval ☐ Denied ☐

Rationale/Remarks: \_\_\_\_\_

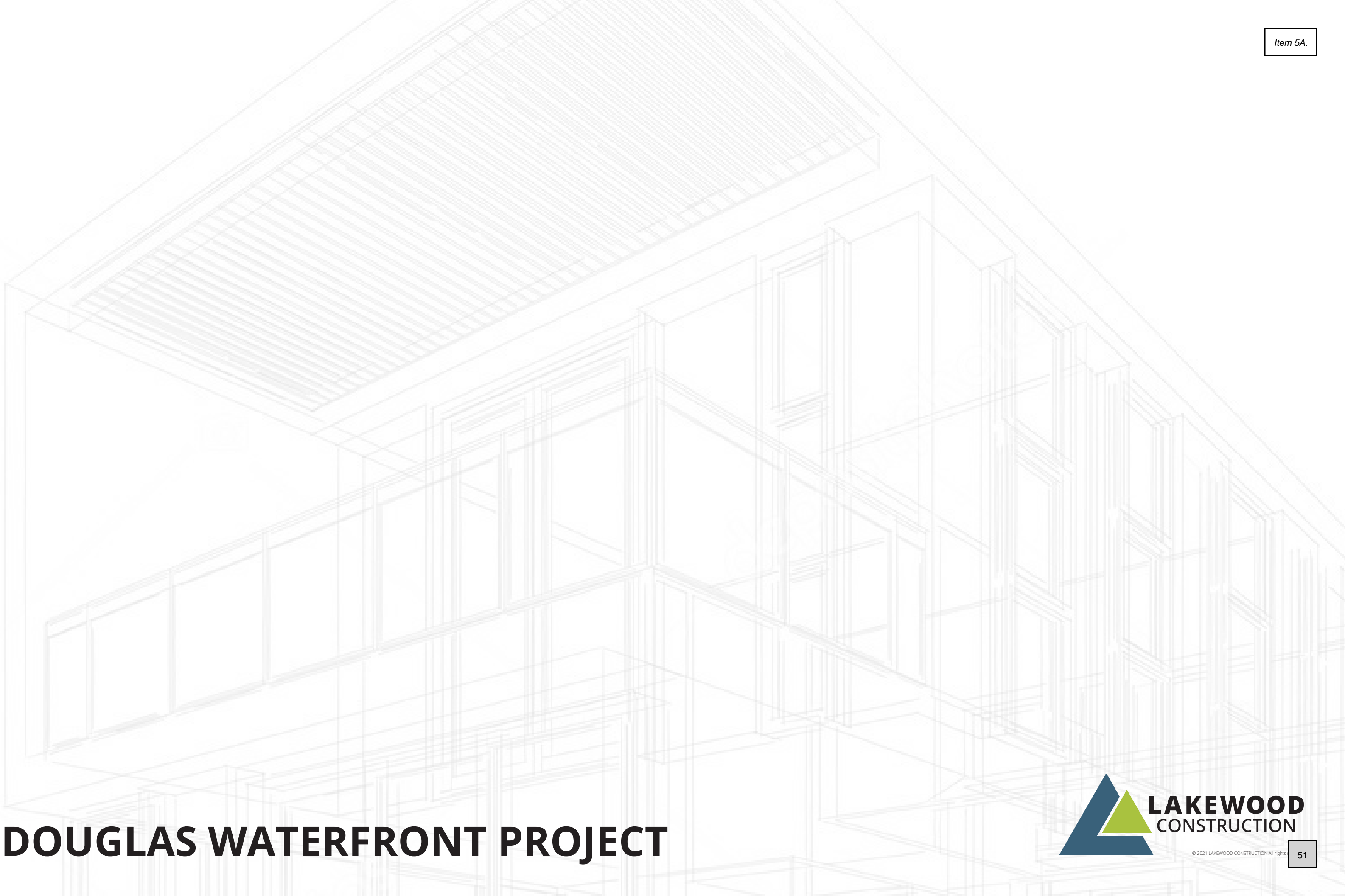
\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
Signature of Planning & Zoning Administrator

\_\_\_\_\_  
Date

P0030720233PZ



# DOUGLAS WATERFRONT PROJECT



PROJECT NARRATIVE

AMK Properties has a mission to create a positive impact in the communities where it develops real estate by having a ‘people-first’ mentality to transform properties.

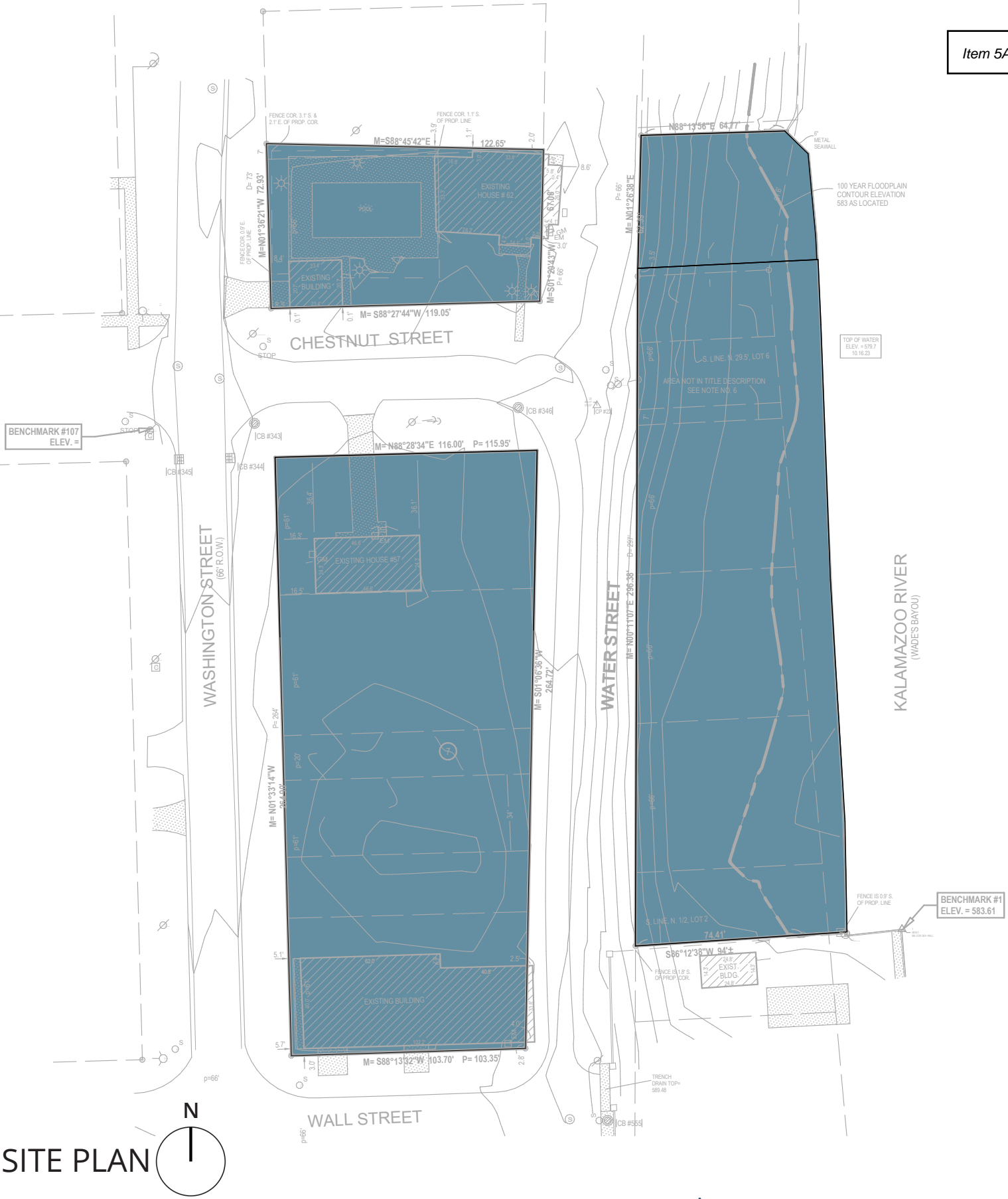
They currently own multiple parcels near the Kalamazoo River and have a vision to propose an innovative and forward-thinking project.

AMK Properties is requesting to rezone the parcels at 57 Chestnut Street, 69 Washington Street, and 67 Water Street. The (3) parcels all share common lot lines and are proposed to be combined.

The current zoning in this area is predominantly R-3, Neighborhood Conservation Residential with future land use as urban residential and waterfront residential. They are proposing to rezone the (3) subject parcels to R-4, Harbor Front Residential. This will, by way of special land use, permit the construction of a multi-family residential project.

The uniqueness about this area is that Water Street currently separates small, non-conforming lots along the Kalamazoo River with the parcels proposed to be rezoned. Due to the limited size of those parcels, the rezone request was only on the parcels nestled between Water Street and Washington. This was a strategic approach to not rezone the non-conforming waterfront parcels as the intent is to preserve the openness, respect the waterfront and create recreation and green spaces. Any potential work on these non-conforming lots most likely requires Zoning Board of Appeals approval for a reduction in setbacks. The decision to not rezone these parcels was due to the fact that R-4 increases the setbacks from the current R-3, and therefore could be looked at as a self-created hardship.

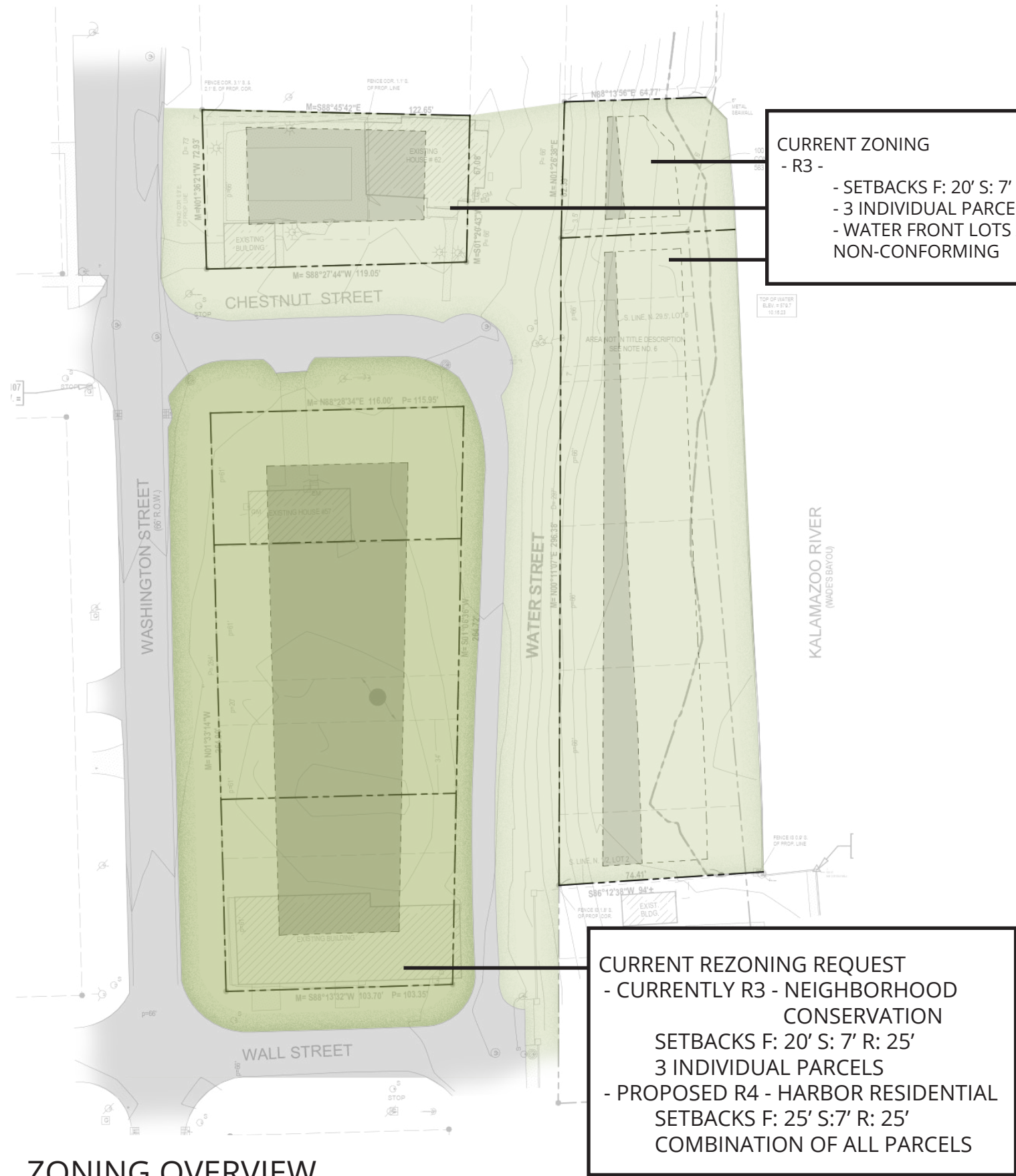
In closing, AMK is committed to creating a project that ignites positive change through creative problem-solving and an unwavering vision. We look forward to working with The City of The Village of Douglas to create a project that positively impact the neighborhood and community.



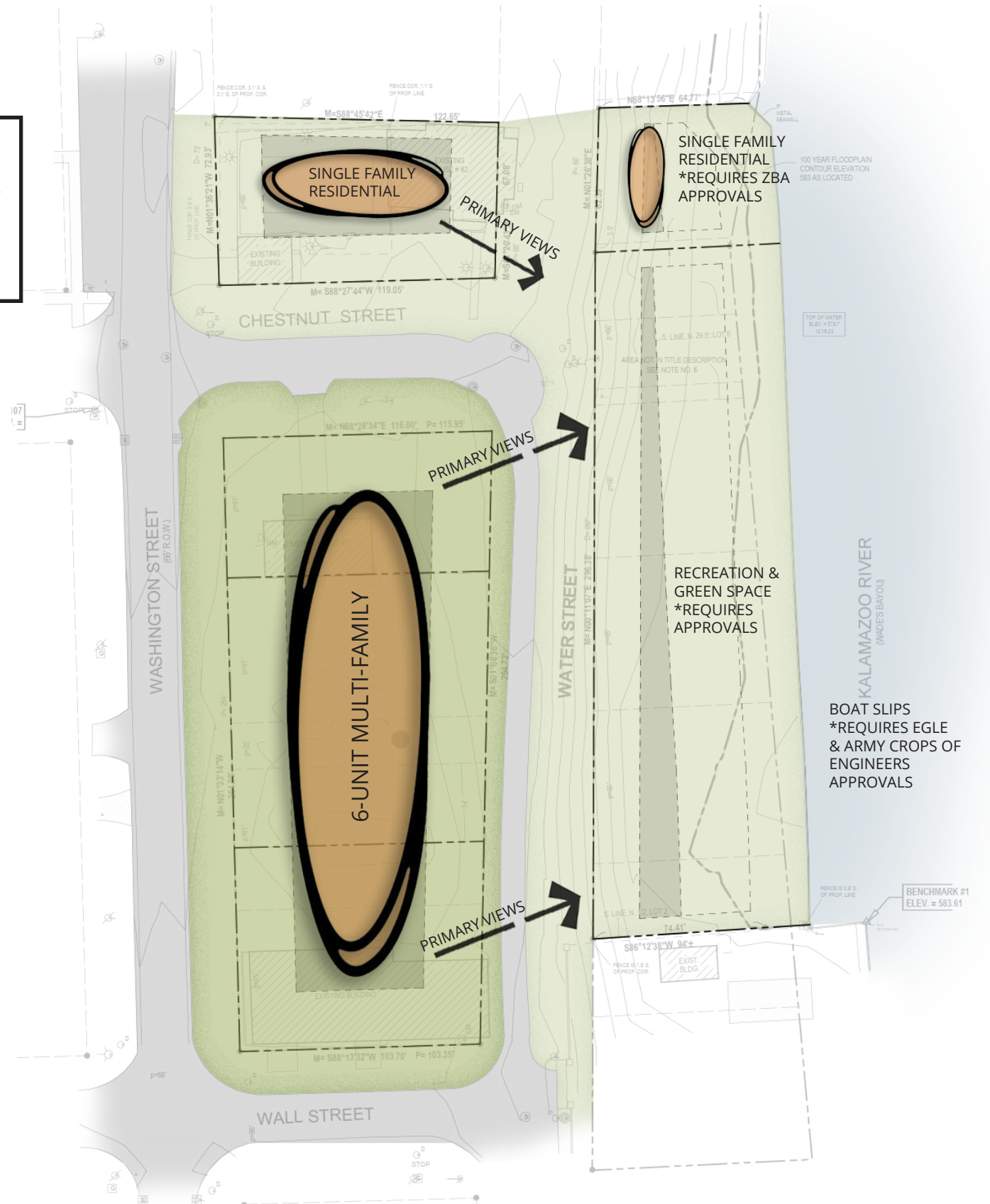
Item 5A.







ZONING OVERVIEW



OVERALL CONCEPT PLAN





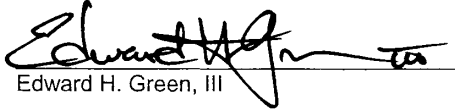


*(Attached to and becoming a part of Statutory Warranty Deed dated May 19, 2023 between 151 Interstate Road Corporation, as Grantor and AMK Holdings, LLC, as Grantee.)*

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

**Dated:** May 19, 2023

Signed and Sealed:

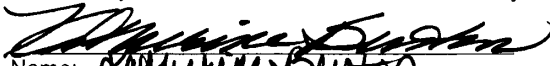
  
Edward H. Green, III

~~The Jason and Sara Veldman Trust, dated December 23, 2019.~~

State of Illinois  
County of DuPage

I, Katherine Burton, a Notary Public of the County and the State first above written, do hereby certify that Edward H. Green, III of personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal this the 19th day of May, 2023.

  
Name: Katherine Burton  
Notary Public - State of Illinois County DuPage  
My Commission Expires: 11-08-2025  
Acting in the County of DuPage



(Seal)



(Attached to and becoming a part of Statutory Warranty Deed dated May 19, 2023 between 151 Interstate Road Corporation, as Grantor and AMK Holdings, LLC, as Grantee.)

The Jason and Sara Veldman Trust, dated December 23, 2019

BY: [Signature]  
Jason Veldman  
trustee

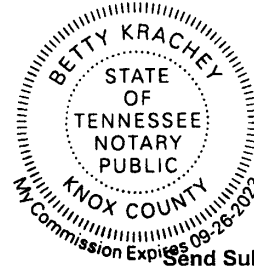
BY: [Signature]  
Sara J. Veldman  
trustee

State of Tennessee  
County of Knox

I, Betty Krachey, a Notary Public of the County and the State first above written, do hereby certify that Jason Veldman and Sara J. Veldman, Trustees of The The Jason and Sara Veldman Trust personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal this the 19th day of May, 2023.

[Signature]  
Name: Betty Krachey  
Notary Public - State of Tennessee  
Knox County  
My Commission Expires: 09/26/2023  
Acting in the County of Knox



**Assisted By:** Chicago Title of Michigan, Inc.  
2987 Blue Star Hwy, PO Box 836  
Douglas, MI 49406

**Drafted by:** Jason Veldman  
31 Water St  
Douglas, MI 49406

**Mail After Recording To:** Kalyan Sennerikuppam  
AMK Holdings, LLC  
31 Water St  
Douglas, MI 49406

**Tax Bills To:** AMK Holdings, LLC  
500 E Monroe Street  
2nd floor  
Dundee, MI 48131

**Recording Fee:** \$35.00

**Real Estate Transfer Tax:** \$15,480.00

**Tax parcel no.:** 0359-300-007-00, 0359-300-002-00,  
0359-100-005-00, 0359-100-004-00,  
0359-100-003-00, 0359-100-002-00  
and

*(Attached to and becoming a part of Statutory Warranty Deed dated May 19, 2023 between 151 Interstate Road Corporation, as Grantor and AMK Holdings, LLC, as Grantee.)*

**EXHIBIT "A"**  
Legal Description

**For APN/Parcel ID(s): 0359-300-007-00, 0359-300-002-00, 0359-100-005-00, 0359-100-004-00,  
0359-100-003-00 and 0359-100-002-00**

Land Situated in the State of Michigan, County of Allegan, City of Douglas.

PARCEL 1: LOT 2 OF DOUGLAS PLAT, ACCORDING TO THE RECORDED PLAT THEREOF, AS RECORDED IN LIBER 24 OF DEEDS ON PAGE 51, ALLEGAN COUNTY RECORDS.

PARCEL 2: THAT PART OF LOT 1 OF DOUGLAS PLAT DESCRIBED AS: COMMENCING 7 FEET NORTH OF THE SOUTHWEST CORNER OF SAID LOT 1, THENCE SOUTHEASTERLY TO THE SOUTHEAST CORNER OF SAID LOT 1, THENCE WEST ALONG THE SOUTH LINE OF LOT 1 TO THE SOUTHWEST CORNER OF SAID LOT 1, THENCE NORTH 7 FEET TO THE PLACE OF BEGINNING, ACCORDING TO THE RECORDED PLAT THEREOF, AS RECORDED IN LIBER 24 OF DEEDS ON PAGE 51, ALLEGAN COUNTY RECORDS.

PARCEL 3: LOT 7, EXCEPT THE SOUTH 3 1/2 FEET THEREOF, IN GERBER PLAT, ACCORDING TO THE RECORDED PLAT THEREOF, AS RECORDED IN LIBER 2 OF PLATS ON PAGE 32, ALLEGAN COUNTY RECORDS.

THIS PARCEL MAY ALSO BE DESCRIBED AS THE NORTH 62.50 FEET OF LOT 7 OF GERBER PLAT.

PARCEL 4: LOT 3 OF DOUGLAS PLAT, ACCORDING TO THE RECORDED PLAT THEREOF, AS RECORDED IN LIBER 24 OF DEEDS ON PAGE 51, ALLEGAN COUNTY RECORDS.

PARCEL 5: LOT 4 AND THE NORTH 34 FEET OF LOT 5 OF DOUGLAS PLAT, ACCORDING TO THE RECORDED PLAT THEREOF, AS RECORDED IN LIBER 24 OF DEEDS ON PAGE 51, ALLEGAN COUNTY RECORDS.

PARCEL 5A: LOT 5, EXCEPT THE NORTH 34 FEET AND LOT 6 OF DOUGLAS PLAT, ACCORDING TO THE RECORDED PLAT THEREOF, AS RECORDED IN LIBER 24 OF DEEDS ON PAGE 51, ALLEGAN COUNTY RECORDS.

PARCEL 6: THE NORTH 1/2 LOT LOT 2, ALL OF LOTS 3, 4, 5, AND THE SOUTH 3 1/2 FEET OF LOT 7 OF GERBER PLAT, ACCORDING TO THE RECORDED PLAT THEREOF, AS RECORDED IN LIBER 2 OF PLATS ON PAGE 32, ALLEGAN COUNTY RECORDS.

PARCEL 7: THE NORTH 1/2 OF THE FOLLOWING: LOT 6, EXCEPT THE SOUTH 7 FEET THEREOF, OF GERBER PLAT, ACCORDING TO THE RECORDED PLAT THEREOF, AS RECORDED IN LIBER 2 OF PLATS ON PAGE 32, ALLEGAN COUNTY RECORDS.





## 1629





LEGAL DESCRIPTION

PARCEL 4: LOT 3 OF DOUGLAS PLAT, ACCORDING TO THE RECORDED PLAT THEREOF, AS RECORDED IN LIBER 24 OF DEEDS ON PAGE 51, ALLEGAN COUNTY RECORDS.

PARCEL 5: LOT 4 AND THE NORTH 34 FEET OF LOT 5 OF DOUGLAS PLAT, ACCORDING TO THE RECORDED PLAT THEREOF, AS RECORDED IN LIBER 24 OF DEEDS ON PAGE 51, ALLEGAN COUNTY RECORDS.

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