

**To:** City of the Village of Douglas City Council  
**Date:** April 21, 2025  
**From:** Sean Homyen, Planning & Zoning Administrator  
**RE:** **453 Center St – Rezone Request from R-5 Multiple Family District to C-1 Village Commercial District**



*The Village of Friendliness – Since 1870*

Andrea Johnson-Wardynski is requesting to rezone 453 W Center St, from R-5 Multiple Family District to C-1 Village Commercial District. 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.

**Background and Request.** The property at 453 Center Street is currently occupied by a two-story single-family home, currently zoned R-5, Multiple Family District. Based on the assessing records, the home was constructed in 1873. The applicant has inquired about converting a portion of the home facing Center Street to a commercial storefront for the purpose of selling Italian shaved ice.

**Procedure.** At the February 20, 2025, Planning Commission meeting, the Planning Commission made a favorable recommendation to the City Council to approve the request. At the April 7, 2025, City Council meeting, the first reading will take place, but no action will be taken. At the April 21, 2025, City Council public hearing, the Council will decide whether to approve, deny, or table the request. If the City Council approves the rezoning request, the applicant may then apply for site plan approval. At this stage, a site plan is not required to be submitted in conjunction with the request to rezone the property.



*Parcel Ariel View*

**Rezoning Criteria.** Section 28.06, Planning Commission Recommendations lists several factors which must be taken into consideration by the Planning Commission when reviewing a request to rezone. New and old zoning maps, along with the zoning districts were included with the packet to assist them with the review. The zoning maps, zoning districts, factors, and additional details can be found in the report dated February 14, 2025, prepared for the Planning Commission are included in this packet.

**FINAL THOUGHTS.** Council has recently updated the Master Plan to designate this area in the future as West Center Commercial. While this district has not yet been formally established through the Zoning Ordinance and Zoning Map, the proposed rezoning from R-5 Multiple Family District to C-1 Village Commercial District remains consistent with the intent and desired building types outlined in the new West Center Commercial designation under the Master Plan.

### West Center Commercial



#### INTENT:

To allow for a mix of residential and small-scale commercial uses intended to serve adjacent neighborhoods, users of the Beach to Bayou Trail, and Lake Michigan beach goers. This future land use designation would allow for the retrofitting of ground-floor commercial in existing residential buildings and residential uses on main floors behind storefronts and on upper floors. Other uses may include live-work units, recreation service uses, micro-scale manufacturing and associated retail, small-scale retail, eating and drinking establishments, personal service establishments, professional and support offices. Other residential uses that would be ideal in this area are single and two-family homes, and retrofit of single-family homes to two- or three-unit missing middle homes.



#### DESIRED BUILDING TYPES:

- Retrofit mixed uses within existing homes with the option for commercial on the main floor and residential on upper floors and behind storefronts
- Small-scale service, retail, rental, and eating and drinking establishments that cater to surrounding residential neighborhoods, beach-goers, and users of the Beach to Bayou Trail
- Micro-scale manufacturing with associated on-site retail
- Live-work units
- Single and two-family homes.

**RECOMMENDATION.** The second reading on April 21, 2025, will be a public hearing. At this meeting Council should carefully consider any comments from the public, any new information provided by the applicant, and the analysis provided in this report and the report to the Planning Commission. At this time, staff is recommending to the City Council for the approval of the request to rezone the parcel located at 453 W. Center Street from R-5, Multiple Family District to C-1, Village Commercial District, based on the favorable recommendation from the Planning Commission to Council and the reports provided to Council. A draft ordinance to amend the zoning ordinance and map is provided for reference, as well as a suggested motion below.

#### **SUGGESTED MOTION**

*I move to [approve / deny / table] the request made by Andrea Johnson-Wardynski for the amendment to the zoning ordinance and map in reference to a parcel of land located at 453 West Center Street (PPN 59-350-001-00), from R-5, Multiple Family District to C-1, Village Commercial District, based on the findings outlined in the staff report dated April 16, 2025, and February 14, 2025.*

Please feel free to reach out with any questions.

**To:** City of the Village of Douglas Planning Commission  
**Date:** February 14, 2025  
**From:** Sean Homyen, Planning & Zoning Administrator  
**RE:** **453 Center St – Rezone Request from R-5 Multiple Family District to C-1 Village Commercial District**



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**Background and Request.** The property at 453 Center Street is currently occupied by a two-story single-family home, currently zoned R-5, Multiple Family. Based on the assessing records, the home was constructed in 1873. The applicant has inquired about converting a portion of the home facing Center Street to a commercial storefront for the purpose of selling Italian shaved ice.

**Procedure.** The Planning Commission is tasked with reviewing the request to rezone the subject parcel 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 a site plan approval. At this stage, a site plan is not required to be submitted in conjunction with the request to rezone the property.



*Parcel Ariel View*

**Review.**

**Application Completeness.** Section 28.05 outlines the required information that must be submitted by the petitioner. Staff has determined that the application is complete enough for review

**Rezoning Criteria.** Section 28.06, Planning Commission Recommendations lists several factors which must be taken into consideration by the Planning Commission when reviewing a request to rezone. New and old Zoning Maps, along with the Zoning Districts are included with the packet to assist with the review. These factors are listed below, along with the 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:** Since the existing zoning district was established, several identifiable conditions have changed that justify the proposed amendment. Looking at the 1986 Zoning Map, we see that the area north of Center St consisted of a mix of industrial, vacant, and single-family residential parcels, while the south side had industrial, multi-family residential, vacant, and single-family residential parcels. However, by 1998, significant zoning changes occurred. North of Center St, parcels were rezoned to the C-1 Village Commercial District, while the south side was rezoned to the R-5 Multiple Family District, which remains in place today.

Over time, there has been a notable shift from residential to more commercial uses, especially on the north side of Center St. This transition is supported by infrastructure changes such as the addition of the Root Beer Barrel, a commercial establishment that has attracted more people to the area, and the completion of the Beach to Bayou Trail, which brings pedestrians and cyclists through the area, further supporting the area's growth as a commercial hub.

These developments and shifts in land use, including the movement towards more commercial activities and the improvement of transportation and pedestrian infrastructure, demonstrate the evolving character of the area and justify the proposed zoning amendment. The changes in land use, infrastructure, and the shift from residential to commercial uses make this amendment aligned with the current and future needs of the community.

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

**Remarks:** The approval of the petition would not create a precedent, as it involves a zoning change that is permitted under the current zoning ordinance and is supported by the 2016 master plan. While there are examples, such as the Kirby House and 420 Satori, where commercial properties were historically used as homes, these instances do not establish a pattern of undesirable or unintended consequences. In this case, the rezone is consistent with the zoning framework, and thus, it would not set a negative precedent.

However, while this change may encourage other similar rezoning requests, it would not lead to a pattern of adverse impacts or unintended consequences. The potential effect of approving the petition would be part of a broader development pattern that aligns with the City's planning goals, rather than creating negative precedents. Denial of the petition, on the other hand, would likely limit potential development opportunities that are in line with the City's growth strategies, but it wouldn't create a harmful pattern either.

- 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. There is, however, likely to be a higher demand for on-street parking. Any plans for the City to improve the Center Street right of way for the purpose of on-street parking may be considered sooner rather than later if the rezoning is approved.

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

**Remarks:** The petitioned district change does not adversely affect environmental conditions or the rights of neighboring property owners. There are no indications that the proposed rezone would impact property access or hinder the ability of adjacent property owners to use or sell their property. While the potential for increased traffic and noise due to future development is a possibility, this is not expected to interfere with property rights. Overall, the change does not present negative environmental or property rights impacts for neighboring landowners.

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

**Remarks:** The class of uses permitted in the proposed district appears to be appropriate for the location in question, particularly when considering the intent of the C-1 zoning district, which is designed to allow a mix of commercial and residential uses. Upon reviewing the list of permitted uses, none of the uses by right stand out as being wildly incompatible with the surrounding area. However, while the special land uses may require more careful consideration on a case-by-case basis, this is why they are categorized as such, allowing for flexibility and review by the City to ensure compatibility. In general, the uses permitted in C-1 seem suitable for the location, and there are no immediate concerns regarding major incompatibilities. The primary objective should be to ensure that land uses are compatible with the surrounding environment, and from this perspective, the proposed rezoning seems appropriate.

- 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 2016 Master plan provides compatible and potentially compatible zoning districts for parcels. The future land use designation is currently R-5 Multiple Family District and the potentially compatible zoning district would be C-1 Village Commercial District.

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.

*Future Land Use Designation from the 2016 Master Plan*

- 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:** The property at 453 Center St, currently zoned R-5, can still be used as a single-family home, which is in line with the current zoning. However, the applicant's request to convert the property into a storefront could provide a more viable economic option, especially if the home isn't being fully utilized. Changing the zoning to allow for mixed-use could offer the opportunity for the property owner to generate income through retail, which wouldn't be possible under the current zoning.

**RECOMMENDATION.** At the upcoming public hearing, the Planning Commission should carefully consider any comments from the public, any new information provided by the applicant, and the analysis provided in this report. At this time, staff is recommending that the Planning Commission forward a favorable recommendation to the City Council for the approval of the request to rezone the parcel located at 453 W. Center Street from R-5, Multiple Family to C-1, Village Commercial, based on the findings listed in this report. A draft ordinance to amend the zoning ordinance and map is provided for reference, as well as a suggested motion below.

### **SUGGESTED MOTION**

*I move to recommend [approval / denial / tabling] the request made by Andrea Johnson-Wardynski for the amendment to the zoning ordinance and map in reference to a parcel of land located at 453 West Center Street (PPN 59-350-001-00), from R-5, Multiple Family District to C-1, Village Commercial District, based on the findings outlined in the staff report dated February 14, 2025.*

Please feel free to reach out with any questions.

**ARTICLE 10:  
C-1 VILLAGE CENTER DISTRICT**

**Section 10.01 Intent of C-1 Village Center District**

The intent of this District is to maintain and enhance the vitality of the Village Center, provide services in close proximity to one another, reinforce the relatively intense development pattern of retail and service establishments on the ground floor with residential accommodations above, reduce the need for on-site parking by encouraging pedestrian and bicycle connections to and from the Village Center, and to expand the employment base and residential population of the Village Center. The compact development pattern of the Village Center establishes a pedestrian-oriented environment and stresses urban and civic design while encouraging the reuse of existing buildings. The District provides standards to reinforce the unique physical character of downtown and establishes minimum criteria for building design compatibility while promoting amenities necessary to attract business, residents and visitors.

**Section 10.02 District Summary**

<p style="text-align:center"><b><u>A. Permitted Uses</u></b></p> <ul style="list-style-type: none"><li>◆ Accessory Use, when accessory to permitted use</li><li>◆ Antique Store</li><li>◆ Art gallery</li><li>◆ Essential Public Services</li><li>◆ Library</li><li>◆ Museum</li><li>◆ Neighborhood Parks</li><li>◆ Office Building</li><li>◆ Outdoor Public Recreation</li><li>◆ Personal Service Establishment</li><li>◆ Professional Service Establishment</li><li>◆ Residential above Retail or Office</li><li>◆ Restaurant, Standard</li><li>◆ Retail Business or Retail Sales</li><li>◆ Showroom</li><li>◆ Studio for Performing/Visual Arts</li></ul> <p style="text-align:center"><b><u>B. Special Land Uses</u></b></p> <ul style="list-style-type: none"><li>◆ Animal Grooming, subject to Section 26.03</li><li>◆ Buildings associated w/ Public Facilities, subject to Section 26.29</li><li>◆ Convalescent or Nursing Home, subject to Section 26.11</li><li>◆ Hotel, subject to Section 26.22</li><li>◆ Movie Theater, subject to Section 26.23</li><li>◆ Place of Public Assembly, Large, subject to Section 26.26</li><li>◆ Private Recreational Facilities, subject to 26.27</li><li>◆ Residential, Ground Floor, subject to 26.13</li><li>◆ Schools subject to Section 26.31</li></ul>	<p style="text-align:center"><b><u>C. Site and Building Placement Standards</u></b></p> <table><tr><td>Minimum Lot Area:</td><td>4,000</td></tr><tr><td>(square feet)</td><td></td></tr><tr><td>Minimum Lot Frontage:</td><td>20 ft.</td></tr><tr><td>Maximum Lot Coverage:</td><td>80%</td></tr><tr><td>Minimum Setbacks:</td><td></td></tr><tr><td>    Front:</td><td>0 ft</td></tr><tr><td>    Side:</td><td>5 ft., except where a commercial building is placed directly upon the side lot line.</td></tr><tr><td>    Rear:</td><td>5 ft., except where the rear yard abuts a side yard in a residential district the rear yard shall be 25 ft. The full width of a public alley between the rear yard of a lot and a side yard of a lot in a residential district may be considered part of the rear yard for setback computation.</td></tr></table> <p>(See Schedule of Regulations)</p>	Minimum Lot Area:	4,000	(square feet)		Minimum Lot Frontage:	20 ft.	Maximum Lot Coverage:	80%	Minimum Setbacks:		Front:	0 ft	Side:	5 ft., except where a commercial building is placed directly upon the side lot line.	Rear:	5 ft., except where the rear yard abuts a side yard in a residential district the rear yard shall be 25 ft. The full width of a public alley between the rear yard of a lot and a side yard of a lot in a residential district may be considered part of the rear yard for setback computation.
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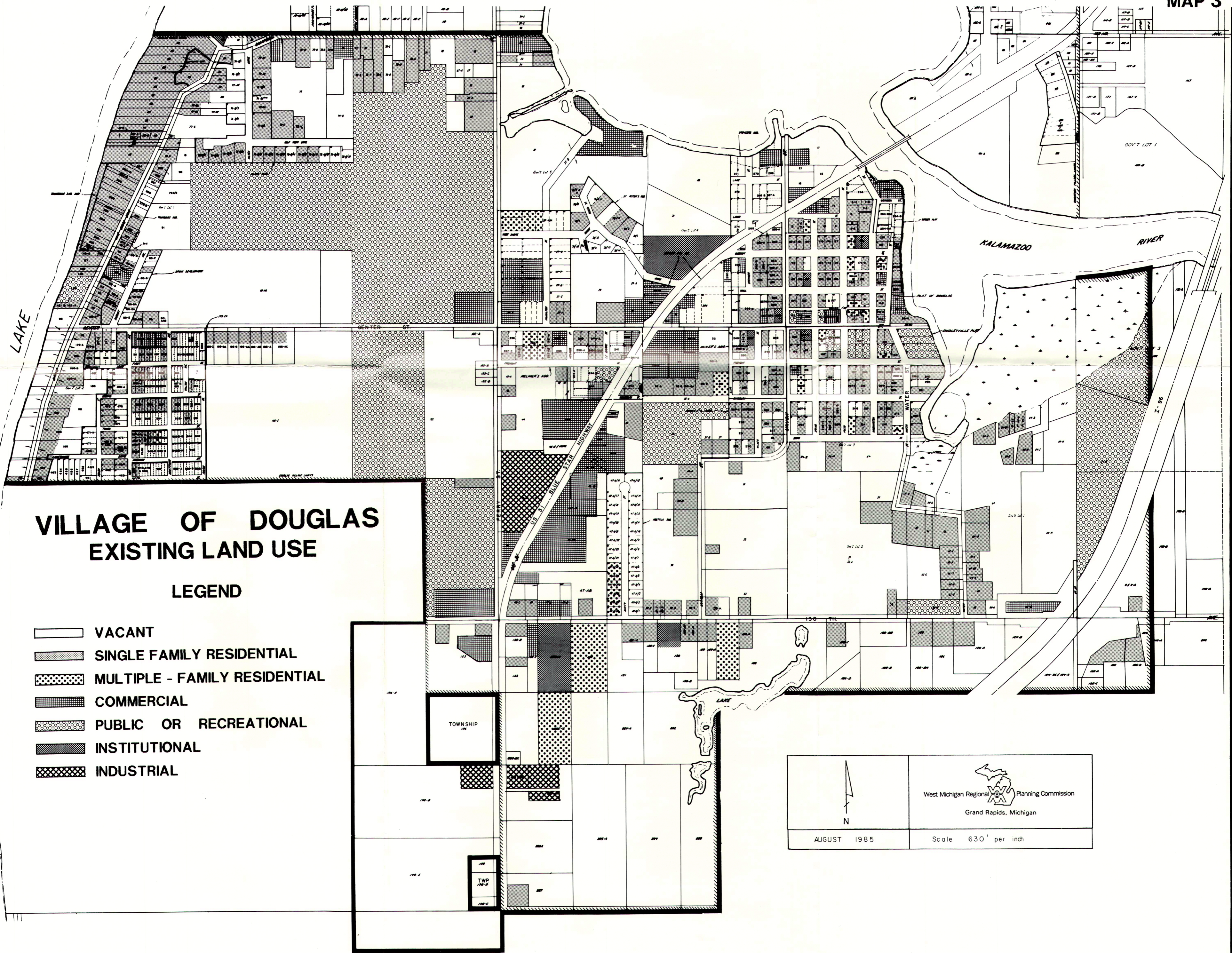
## ARTICLE 8: R-5 MULTIPLE FAMILY DISTRICT

### Section 8.01 Intent

It is the intent of the R-5 Multiple Family District to provide for residential development densities within the City with mostly multi-family dwellings as presented in the Tri-Community Comprehensive Plan. It is the intent of this District to protect and encourage the multiple family residential character of the property in the District, to prohibit activities not compatible with the current and future intended character of the District, and to protect abutting districts from any unintended negative impacts from the development of this District.

### Section 8.02 District Summary


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<ul style="list-style-type: none"><li>◆ Accessory Use, when accessory to permitted use</li><li>◆ Dwelling, Multi-Family (Subject to City of Douglas Design Guidelines for Multi-Family Development</li><li>◆ Dwelling, One Family</li><li>◆ Dwelling, Two Family</li><li>◆ Essential Public Services</li><li>◆ Child Family Day Care Home</li><li>◆ Neighborhood Parks</li><li>◆ Outdoor Public Recreation</li></ul>	<table><tr><td>Minimum Lot Area:</td><td>One family</td><td>7,920</td></tr><tr><td>(square feet)</td><td>Two family</td><td>15,000</td></tr><tr><td></td><td>Multi-Family</td><td>20,000</td></tr></table> <table><tr><td>Minimum Lot Frontage:</td><td>One family</td><td>66 ft.</td></tr><tr><td></td><td>Two family</td><td>80 ft.</td></tr><tr><td></td><td>Multi-Family</td><td>100 ft</td></tr></table> <table><tr><td>Maximum Lot Coverage:</td><td></td><td>35%</td></tr></table> <table><tr><td>Minimum Setbacks:</td><td></td><td></td></tr><tr><td>Front:</td><td></td><td>25 ft</td></tr><tr><td>Side:</td><td>7 ft min/15 ft total</td><td></td></tr><tr><td>Side: Multi-Family</td><td>20 ft each</td><td></td></tr><tr><td>Rear:</td><td></td><td>35 ft.</td></tr></table> <table><tr><td>Minimum Floor Area:</td><td></td><td></td></tr><tr><td>One Family</td><td></td><td>1,000 sq. ft.</td></tr><tr><td>Two Family</td><td></td><td></td></tr><tr><td>One Bedroom</td><td></td><td>650 sq. ft.</td></tr><tr><td>Two Bedroom</td><td></td><td>750 sq. ft.</td></tr><tr><td>Three Bedroom</td><td></td><td>900 sq. ft.</td></tr><tr><td>Each additional</td><td></td><td>+100 sq. ft.</td></tr></table> <table><tr><td>Maximum Principal Building Height:</td><td></td><td>28 ft.</td></tr></table> <p>(See Schedule of Regulations)</p>	Minimum Lot Area:	One family	7,920	(square feet)	Two family	15,000		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/15 ft total		Side: Multi-Family	20 ft each		Rear:		35 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.
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# VILLAGE OF DOUGLAS EXISTING LAND USE

## LEGEND

- VACANT
- SINGLE FAMILY RESIDENTIAL
- MULTIPLE - FAMILY RESIDENTIAL
- COMMERCIAL
- PUBLIC OR RECREATIONAL
- INSTITUTIONAL
- INDUSTRIAL



N



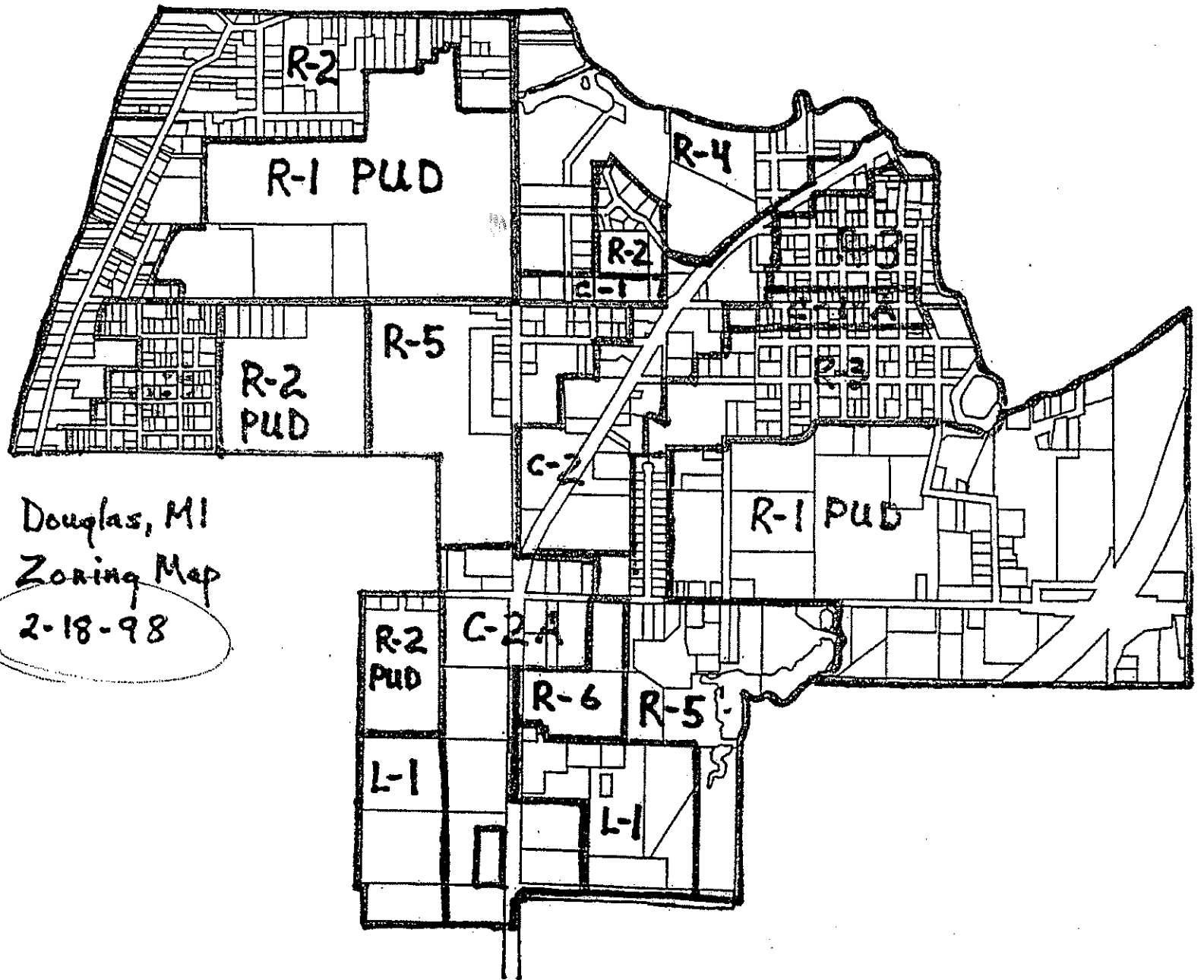
West Michigan Regional Planning Commission  
Grand Rapids, Michigan

AUGUST 1985

Scale 630' per inch

#145

Douglas, MI  
Zoning Map  
2-18-98



City of the Village of Douglas

Official  
ZONING MAP

As amended through 7/1/2005

ALLEGAN COUNTY, MICHIGAN



Zoning Legend

LABEL	ZONING DISTRICT	ACREAGE	% AREA
C-1	Village Commercial District	5.8	.6
C-1A	Village Center Commercial District	7.7	.8
C-2	General Commercial District	50.1	5.0
C-2A	Special Commercial District	68.2	6.9
L-1	Light Industrial District	63.3	6.4
R-1	Residential District	303.7	30.5
R-2	Residential District	194.4	19.5
R-3	Neighborhood Conservation District	84.9	8.5
R-4	Harbor Residential District	73.2	7.4
R-5	Multiple Family District	125.3	12.6
R-6	Mobile Home Park District	18.6	1.9
		995.2	

Generalized Zoning Legend  
for Adjacent Jurisdictions

- Agricultural
- Commercial
- Government
- Industrial
- Open Space
- Residential
- Right of Way
- Rural
- Water

Planned Unit Developments (PUD's)

- A - Tower Marine
- B - Wildwood Lane
- C - Westshore Woods
- D - Harbor Village
- E - Wilderness Ridge
- F - Beachside Village
- G - Parkside Landing
- H - Summer Grove
- I - Singapore Harbor
- J - Cider Hill














Allegan County Land Information Services assumes no liability for results or conclusions drawn from the use of this data.

Major =  
Center St. to B. Star  
Wiley St.  
B. Star Highway  
main St - Ctr -> B.S  
66th to sign  
water to

## Zoning Map

Effective Date:  
July 16, 2014

-  PUD Overlays
-  DDA Boundary
-  R-1, Residential District
-  R-2, Residential District
-  R-3, Neighborhood Conservation District
-  R-4, Harbor Residential District
-  R-5, Multiple Family District
-  R-6, Mobile Home Park District
-  C-1, Village Commercial District
-  C-2, General Commercial District
-  L-1, Light Industrial District

This is to certify that this is the Official Zoning Map of the City Zoning Ordinance adopted on the 18th day of May, 2009. If, in accordance with the provisions of this ordinance, changes are made in district boundaries or other matters portrayed on the Official Zoning Map, such changes shall be made on the Official Zoning Map after amendment has been approved by the City Council together with an entry on the Official Zoning Map.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk



**Williams & Works**

Data Source: Allegan County

**CITY OF THE VILLAGE OF DOUGLAS**

**ALLEGAN COUNTY, MICHIGAN**

**ORDINANCE NO.05-2025**

**AN ORDINANCE TO AMEND THE ZONING ORDINANCE AND ZONING MAP OF THE CITY  
OF THE VILLAGE OF DOUGLAS TO REZONE 453 W CENTER ST FROM R-5 MULTIPLE  
FAMILY DISTRICT TO C-1 VILLAGE COMMERCIAL DISTRICT**

**PREAMBLE**

**WHEREAS**, the City of the Village of Douglas received on behalf of Andrea Johnson-Wardynski (“Applicant”) an application to rezone 453 W Center Street (P.P.N. 03-59-350-001-00), from its current zoning in the R-5 Multiple Family District to the C-1 Village Commercial District, located, in Douglas, Michigan;

**WHEREAS**, pursuant to Article 28 of the Douglas Zoning Ordinance, changing a zoning designation constitutes an amendment to the Official Zoning Map of the City of the Village of Douglas, requiring a public hearing by the Planning Commission and Approval by City Council;

**WHEREAS**, pursuant to and in compliance with Act 110 of 2006 of the Public Acts of Michigan, being the Zoning Enabling Act as amended, the Planning Commission conducted a public hearing on February 20, 2025.

THE CITY OF THE VILLAGE OF DOUGLAS HEREBY ORDAINS:

The City of the Village of Douglas Zoning Ordinance, adopted in 2009, as amended, is hereby amended as follows:

**SECTION 1. AMENDMENT**. The zoning designation of the parcel located at 453 W Center St (03-59-350-001-00) legally described below is hereby changed from R-5 Multiple Family Residential to C-1 Village Commercial District.

**LEGAL DESCRIPTION**

LOTS 1 & 2 BLOCK 1 HELMER'S ADDITION (2017)

**SECTION 2. SEVERABILITY AND CAPTIONS**. This Ordinance and the various parts, sections, subsections, sentences, phrases and clauses thereof are hereby declared severable. If any part, section, subsection, sentence, phrase or clause is adjudged unconstitutional or invalid by a court of competent

jurisdiction, the remainder of this Ordinance shall not be affected thereby. The captions included at the beginning of each Section are for convenience only and shall not be considered a part of this Ordinance.

**SECTION 3. REPEAL.** Any existing ordinance or resolution that is inconsistent or conflicts with this Ordinance is hereby repealed to the extent of any such conflict or inconsistency.

**SECTION 4. EFFECTIVE DATE.** This Ordinance is ordered to take effect upon the expiration of twenty (20) days following publication of adoption in the Commercial Record, a newspaper having general circulation in the City, under the provisions of 2006 Public Act 110, except as may be extended under the provisions of such Act.

Ordinance Offered by:

Ordinance Supported by:

Ayes:

Nays:

Abstain:

Absent:

**ORDINANCE DECLARED ADOPTED ON THIS \_\_\_\_ DAY OF APRIL 2025**

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Cathy North, Mayor

---

Laura Kasper, City Clerk

Ordinance Adoption Date: April \_\_\_\_, 2025 (to be published within 15 days of adoption)

Ordinance Effective Date: May \_\_\_\_, 2025 (20 days after publication)