

To: City of the Village of Douglas Planning Commission
Date: October 2, 2026
From: Sean Homyen, Planning & Zoning Administrator
RE: **64 Wiley Rd – Rezone Request from R-1 PUD to R-3 Neighborhood Conservation District**



The Village of Friendliness – Since 1870

David Schermer, on behalf of Tan Creek, LLC, is requesting to rezone approximately 20 acres located at 64 Wiley Road from R-1 Planned Unit Development (PUD) to R-3 Neighborhood Conservation 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 approximately 20-acre property located at 64 Wiley Road is currently undeveloped and is zoned R-1 Planned Unit Development (PUD), associated with the previously approved Furrows PUD. The approved PUD was never developed. Section 27.10 of the Zoning Ordinance establishes provisions for the zoning of property when an approved PUD is not commenced within the required timeframe. The applicant is requesting to rezone the property to the R-3 Neighborhood Conservation District to facilitate future residential development of the property. The R-3 District would also establish the underlying zoning and baseline regulations for any future PUD proposed for the property.



Parcel Ariel View

The applicant has been working with the City since early 2025 to evaluate development opportunities and constraints associated with the property. The applicant has indicated that conceptual planning is currently underway and is intended to cluster development within appropriate portions of the property while preserving significant natural features and open space.

The City's 2025 Master Plan designates the property as Urban Residential, which identifies a residential density of up to six (6) units per acre and includes detached single-family homes and missing-middle housing among the desired housing types. The applicant is seeking R-3 zoning to allow both detached single-family and two-family dwellings as part of a future development proposal.

The applicant has indicated that, if the rezoning is approved, they intend to subsequently submit a request for an R-3 PUD with a Preliminary PUD Plan. The current request is limited to the rezoning of the property from R-1 PUD to R-3 and does not constitute approval of a specific development plan or future PUD.

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.

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: One identifiable change since the existing zoning was established is the City's adoption of the 2025 Master Plan. The current Master Plan designates the subject property as Urban Residential and establishes a future land use vision for the undeveloped areas between Wiley Road and South Street.

The Urban Residential designation allows for residential densities of up to six (6) dwelling units per acre and identifies detached single-family homes, missing-middle two- and three-unit homes, retrofit two-unit homes, and accessory dwelling units as desired housing types. The proposed R-3 District would accommodate one-family and two-family dwellings and would provide a residential zoning framework that accommodates several of the housing types contemplated by the current Master Plan.

The adoption of the 2025 Master Plan represents a change in the City's long-term land use policy for the property that should be considered when determining whether the proposed rezoning is appropriate. The applicant also identifies the adoption of the new Master Plan as the primary changed condition supporting the request.

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

Remarks: Approval of the request could result in similar rezoning requests from other properties designated Urban Residential on the Future Land Use Map. However, approval of this request would not establish that all properties within the Urban Residential designation are automatically appropriate for R-3 zoning. Each rezoning request must be evaluated individually based on the applicable rezoning criteria, characteristics of the property, surrounding land uses, availability of infrastructure, and compatibility of the requested zoning district.

Likewise, denial of the request would not necessarily establish that R-3 zoning is inappropriate for other properties designated Urban Residential. The Planning Commission should consider the specific circumstances of the subject property when making its recommendation.

- 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 proposed rezoning would maintain a residential zoning classification for the property but may allow a different residential development pattern than the existing R-1 PUD zoning. The applicant has indicated that a Utility Capacity Analysis, Traffic Analysis, and Topographic Survey have been completed as part of its due diligence and that no public service or infrastructure limitations have been identified that would preclude residential development under the proposed zoning.

The rezoning itself does not constitute approval of a specific development. The adequacy and capacity of utilities, stormwater facilities, road improvements, emergency access, and other public infrastructure would be further evaluated based upon the specific development proposed through any subsequent development or PUD application.

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

Remarks: The subject property contains significant natural features, including a creek, ravine areas, existing vegetation, and other undeveloped portions of the property. The proposed rezoning does not, by itself, authorize development or alteration of these natural features.

The applicant has indicated that conceptual planning for the property is intended to cluster development within appropriate portions of the site while preserving significant natural features and open space. However, a specific development plan is

not being considered as part of the current rezoning request.

Any future development proposal would be reviewed for compliance with applicable requirements related to natural features, drainage, stormwater management, access, setbacks, landscaping, and impacts on neighboring properties. The Planning Commission should consider whether the range and intensity of development permitted under the R-3 District could reasonably be accommodated on the property without adversely affecting environmental conditions or neighboring property owners.

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

Remarks: The R-3 Neighborhood Conservation District is residential in character and permits one-family and two-family dwellings, along with other permitted and special land uses allowed within the district. The intent of the R-3 District states that “no more land is intended to be zoned R-3.” However, the subject property is designated Urban Residential by the 2025 Master Plan, which identifies zoning changes necessary to fully implement the future land use designation. Therefore, the requested rezoning from R-1 PUD to R-3 is consistent with the Urban Residential future land use designation and the implementation direction established by the Master Plan.

- 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 City's 2025 Master Plan designates the subject property as Urban Residential. The intent of the Urban Residential designation is to preserve the existing character of the original Douglas Plat and surrounding residential neighborhoods while establishing expectations for undeveloped areas between Wiley Road and South Street. The designation allows for residential densities of up to six dwelling units per acre and identifies detached single-family homes, missing-middle two- and three-unit homes, retrofit two-unit homes, and accessory dwelling units as desired housing types.

The proposed R-3 Neighborhood Conservation District is residential in character and permits one-family and two-family dwellings. While the existing R-3 District does not correspond exactly with all of the housing types or density contemplated by the Urban Residential Future Land Use designation, the proposed rezoning is generally consistent with the residential intent of the designation and provides a zoning framework that accommodates several of the housing types identified by the Master Plan.

The applicant has indicated that, following the proposed rezoning, they intend to pursue an R-3 PUD with a Preliminary PUD Plan. Any future PUD request would be

reviewed separately under the applicable PUD standards.

- 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 subject property is capable of residential development under its existing R-1 PUD zoning. Therefore, the request is not based upon a determination that the property is incapable of reasonable economic use under its current zoning. The applicant has indicated that R-3 zoning would provide greater flexibility for the future development of the property, including the ability to accommodate one-family and two-family dwellings and a development pattern that could concentrate development within suitable portions of the property while preserving natural features and open space.

While the proposed R-3 District may provide additional development opportunities, the Planning Commission should consider the property's ability to be reasonably used under the existing R-1 PUD zoning as part of its review. The availability of greater development flexibility under another zoning classification does not, by itself, establish that the property cannot be put to reasonable economic use under its existing 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 64 Wiley Road from R-1, Planned Unit Development (PUD) to R-3, Neighborhood Conservation District, 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 David Schermer, on behalf of Tan Creek, LLC, for the amendment to the zoning ordinance and map in reference to a parcel of land located at 64 Wiley Road (PPN 59-016-096-00), from R-1, Planned Unit Development (PUD) to R-3, Neighborhood Conservation District, based on the findings outlined in the staff report.

Please feel free to reach out with any questions.