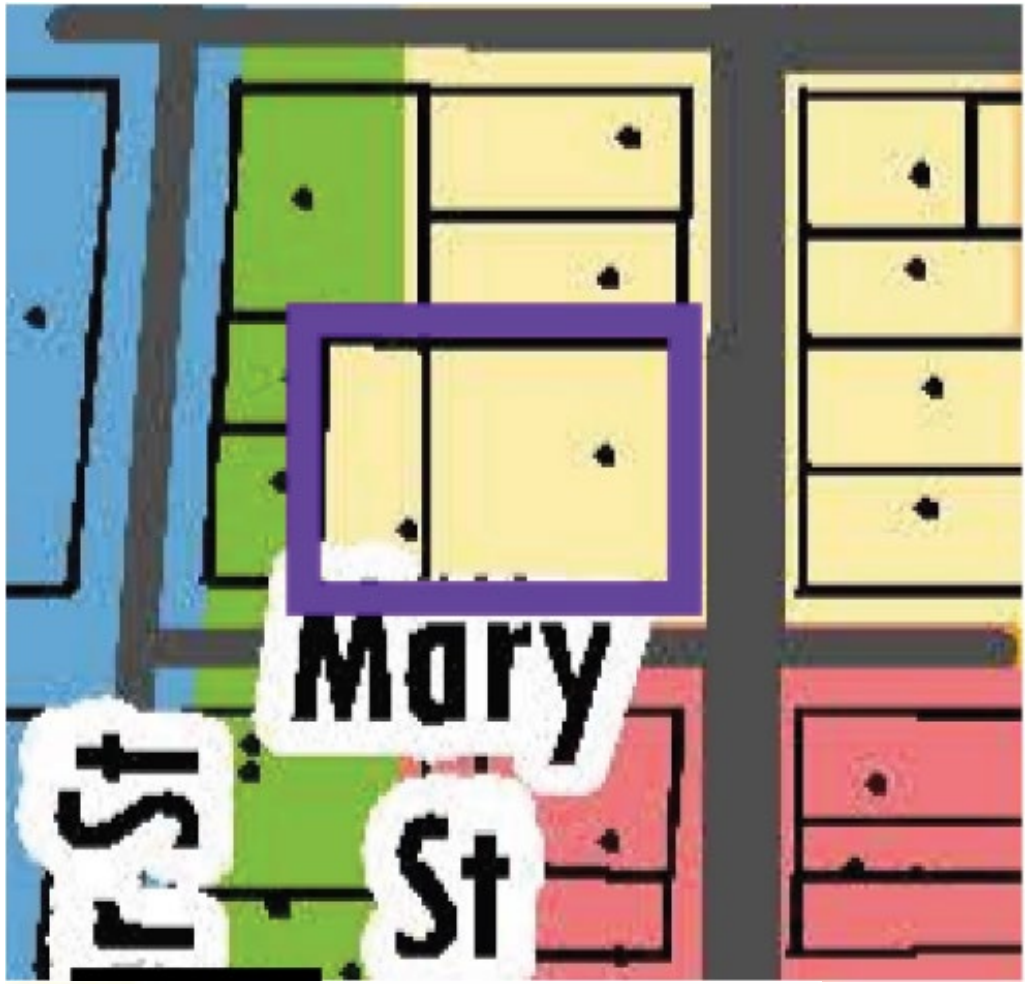
510 Butler –
Conditional Rezoning Request

R-4 City Center Transitional Residential District

requested rezoning to

C-2 Water Street East District

Zoning Map

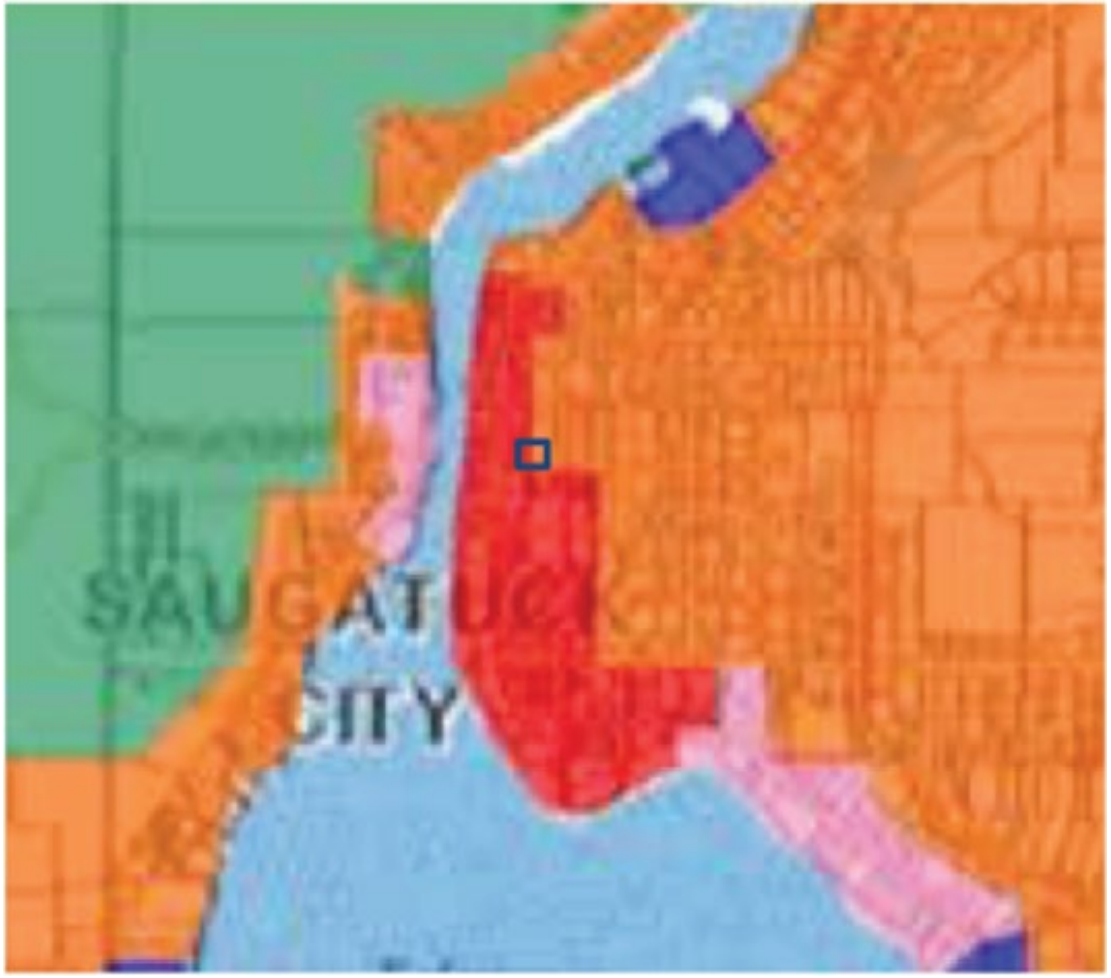


CENTER RESIDENTIAL - R-4

WATER STREET EAST - C-2

CITY CENTER - C-1

Future Land Use Map



Legend

Rural Low Density Single Family Residential/Agricultural

Medium to High Density Single and Multi-Family Residential

Commercial

Industrial

Conditional Rezoning Overview

1. **Applicant proposes rezoning and provides voluntary conditions**
2. **Planning Commission review**
   - Requires at least 1 public hearing
   - Issues recommendation to City Council
3. **City Council review** 

   - Considers Planning Commission recommendation and rezoning criteria
   - Options: approve, deny, or direct consideration of amended conditions
4. **If amendments are considered**
   - Council & Applicant must agree on revised conditions
   - Council refers amended proposal back to PC
   - PC issues report on amended conditions within a specified timeframe
   - Council then takes final action (approve or deny, with or without amendments)

Background

2023

- 120 Mary St. rezoned from C-2 Water St. East (WSE) to R-4 City Center Transitional Residential District (R-4).

2025

- Zoning Ordinance amendment to allow accessory guest buildings for bed & breakfast establishments.
  - The accessory building at 510 Butler has not yet received building permits for its conversion & renovation.

Additional Options Discussed

- Amending provisions of the R-4 zoning district
- Rezoning to C-1 City Center Commercial District (C-1 CC)
- Creating a new land use designation for an “inn” with specific use requirements

Conditions Volunteered on January 23, 2026

1. **The following principal land uses are prohibited:**
   - motion picture facilities;
   - amusement and recreational services;
   - recreational transportation rental facilities;
   - parking facilities as the principal use of land;
   - domestic business repairs, and expanded outdoor dining.

   This provision shall not be deemed to prevent the Landowner from establishing permissible accessory uses that would be allowed under the applicable provisions of the Zoning Ordinance.
2. **The maximum number of guests at any special event, or at simultaneous special events, shall not exceed 125 people.**
3. **The front setback shall be increased from zero (0) feet to 20 feet.**
   - However, if structures are established on at least 40% of the parcels on the same side of the street between two intersecting platted streets and at least half of the established structures are built within the required front yard setback, the front yard setback for new construction may be reduced to the lesser established front yard setback, provided that no new construction may be established closer than seven (7) feet to the front street line.
4. **Maximum lot coverage shall be decreased from 65 percent to 27 percent.**

Conditions Volunteered on April 3, 2026

1. **Limit land use to hotel(inn), instead of a motel/motor court, and any other use that is allowed in both C-2 WSE and R-4 CER. After comparing these districts, these uses would be the following:**
   - Single-family dwellings (floor area ratio not exceeding 0.3:1)
   - Home occupations
   - Short-term rental (of a single-family dwelling)
   - Bed and breakfasts (without accessory guest buildings)
   - Essential public services
2. **Add restrictions on a future hotel/inn use by referencing certain bed and breakfast establishment limitations from the Zoning Ordinance.**
3. **Lower the lot coverage of C-2 WSE from 65% to 27%.**
4. **Increase the front setback from zero (0) feet to 20 feet (with potential reductions based on established setbacks on neighboring property).**
5. **Limit kitchen expansion, indoor dining capacity, hours of operation, cooking space, and dining space.**
6. **Limit events to 75 attendees.**
7. **Prohibit expanded outdoor dining within the public right-of-way.**

Factors to Consider

A rezoning or conditional rezoning has lasting impacts on a parcel, as a future owner may pursue more intensive uses than those intended by the current owner. Accordingly, review of a rezoning request should focus on the land itself and the full range of potential implications, rather than the use currently proposed, which will require separate review and approval and is not guaranteed to be pursued.

1. *Whether the rezoning is consistent with the policies and uses proposed for that area in the city's Master Land Use Plan.*
2. *Whether all of the uses allowed under the proposed rezoning would be compatible with other zones and uses in the surrounding area.*
3. *Whether any public services and facilities would be significantly adversely impacted by a development or use allowed under the requested rezoning.*
4. *Whether the uses allowed under the proposed rezoning would be equally or better suited to the area than uses allowed under the current zoning of the land.*

Relevant Historical Case for Consideration

121 Mary (449 Water) Site Plan & Special Land Use Approval via Consent Agenda (July 2022)

- Outdoor occupancy limited to 30 persons inside & 60 persons outside.
- Hours of operation limited to 11:00 AM to 10:00 PM.
- Music, live or recorded, is limited to indoor only with no amplification.
- Outdoor seating covers (permanent & temporary), are not permitted except for umbrellas.

*All terms of the Consent Judgment listed above are unique and should not be viewed as setting precedent. However, the prior matter is recognized as involving similar considerations, and is referenced solely for contextual understanding.

MEMORANDUM

City of Saugatuck – City Council Workshop

Memo Date:	**April 29, 2026**	**Meeting Date:**	**May 6, 2026**
Request:	**C-2 WSE Conditional Rezoning**	**Applicant:**	**Christopher Khorey/ McKenna**
Address:	**120 Mary/510 Butler**	**Project Name:**	**Wickwood Inn**
Parcel:	**57-300-055-00 and 57-300-053-50**	**Plan Date:**	**N/A**
Lot Size:	**24,729 s.f.**	**Zoning District:**	**R-4 CER**
Complete:	**Yes**	**Recommendation:**	**Planning Commission-Denial**
City Staff:	**Grayson Moore**	**Consultant:**	**David M. Jirousek, AICP**

Overview

The applicant requests the rezoning of 120 Mary Street and 510 Butler Street from the R-4 City Center Transitional Residential District (R-4) to the C-2 Water Street East District (C-2 WSE) with voluntary conditions, in accordance with Section 405 of the Michigan Zoning Enabling Act and Section 154.176(I) of the Zoning Ordinance.



The application intends to expand the Wickwood Inn's business operations beyond the current bed and breakfast establishment allowances to include hotel/inn accommodations, an accessory restaurant use, and special events.

Conditional Rezoning

A conditional rezoning process follows the same formal steps as a traditional rezoning process. However, coordination is required when written voluntary conditions are translated into the official ordinance language to conditionally rezone land. This is because the text is sometimes

amended to ensure it is appropriate from technical zoning and legal perspectives. As such, once the ordinance is prepared, the applicant must accept the conditions, as written, for them to be considered voluntarily submitted. Additional or amended conditions cannot be applied by the City Council.

If City Council approves a conditional rezoning, the conditions must also be formalized in a "statement of conditions," which is a separate legal instrument required by the Zoning Ordinance that must be recorded.

A rezoning or conditional rezoning has lasting impacts on a parcel, as a future owner may pursue more intensive uses than those intended by the current owner. Accordingly, review of a rezoning request should focus on the land itself and the full range of potential implications, rather than the use currently proposed, which will require separate review and approval and is not guaranteed to be pursued. The Council should consider all uses that would be permitted on the property under the proposed zoning.

Background

Previous Rezoning Approval

The property at 120 Mary Street was previously zoned C-2 Water Street East (WSE); however, in 2023, the owner requested rezoning to R-4 City Center Transitional Residential District to rent the first and second floors on a short-term basis. The R-4 zoning district permitted this, while the C-2 WSE zoning district allows short-term rentals only on upper floors. Since that time, the owner decided to incorporate 120 Mary Street into the overall bed and breakfast establishment.

Previous Special Land Use Approval

In 2025, the Zoning Ordinance was amended to allow accessory guest buildings for bed and breakfast establishments. The owner then secured special land use approval to incorporate the residential dwelling at 120 Mary Street and the accessory building at 510 Butler Street as accessory guest accommodation buildings for the Wickwood Inn. While the three-unit building at 120 Mary has been converted to guest accommodations, the accessory building at 510 Butler has not yet received a building permit for its conversion and renovation.

Current Request

Since the special land use approval, City staff and advisors have had multiple conversations with the owner's representatives regarding future uses and desired business activities. Staff determined that these uses and activities would not comply with the requirements for bed and breakfast establishments and the R-4 zoning district.

Subsequent conversations covered options such as amending the provisions of the R-4 zoning district, rezoning to C-1 City Center Commercial District (C-1 CC), rezoning to C-2 WSE, or

creating a new land use designation for an "inn" with specific use requirements. Because the desired commercial uses at the Wickwood Inn would no longer be consistent with the intent of the R-4 zoning district, the applicant chose to pursue a rezoning to C-2 WSE as part of a broader expansion of the operation.

The applicant has described their intent to establish the facility as a hotel(inn) with the following services and activities:

- *Obtain a liquor license and serve alcohol as part of their food service.*
- *Offer a wider variety of dining options to their guests, beyond the current breakfast service.*
- *On a reservation-only basis, open their dining room to the public. The operational model would be that reservations would only be opened to the general public if overnight guests do not fill all available spots for a given meal service.*
- *Host events that are consistent in scale with the property's size and layout.*

Along with the rezoning, the applicant voluntarily offered limitations on January 23, 2026, in an effort to reduce the potential impacts of future commercial expansion on nearby R-4 zoned lands and the neighborhood as a whole. These conditions were formalized within a conditional rezoning ordinance as follows:

a) *The following principal land uses are prohibited: motion picture facilities; amusement and recreational services; recreational transportation rental facilities; parking facilities as the principal use of land; domestic business repairs, and expanded outdoor dining. This provision shall not be deemed to prevent the Landowner from establishing permissible accessory uses that would be allowed under the applicable provisions of the Zoning Ordinance.*

b) *The maximum number of guests at any special event, or at simultaneous special events, shall not exceed 125 people.*

c) *The front setback shall be increased from zero (0) feet to 20 feet. However, if structures are established on at least 40% of the parcels on the same side of the street between two intersecting platted streets and at least half of the established structures are built within the required front yard setback, the front yard setback for new construction may be reduced to the lesser established front yard setback, provided that no new construction may be established closer than seven (7) feet to the front street line.*

d) *Maximum lot coverage shall be decreased from 65 percent to 27 percent.*

After reviewing these conditions and a public hearing on March 19, 2026, the Planning Commission was not supportive. Opposition centered on concerns about the evolving and uncertain scope of the proposal, land use compatibility, and timing. Commissioners noted that the request has changed incrementally over time, making it difficult to fully understand and evaluate the ultimate intensity and impacts. There was also skepticism that the "motel/motor court" classification, which was initially proposed, accurately reflected the proposed operations, along with concerns about parking, noise, and the potential for incremental commercial encroachment into a transitional residential area.

Commissioners also expressed concern that rezoning to C-2 WSE could permit a broader range of commercial uses than currently proposed. Additional hesitation related to the complexity of the conditions offered in the application submittal and a preference to defer action until the City completes its Master Plan and future land use planning for similar transition areas. Based on the concerns, the applicant agreed to reassess the conditions and resubmit a new offer at a future meeting.

The applicant then withdrew the previous conditions and presented a new list within a revised letter, dated April 3, 2026. These conditions generally included:

- Limit land use to hotel(inn), instead of a motel/motor court, and any other use that is allowed in both C-2 WSE and R-4 CER. After comparing these districts, these uses would be the following:
    - Single-family dwellings (floor area ratio not exceeding 0.3:1)
    - Home occupations
    - Short-term rental (of a single-family dwelling)
    - Bed and breakfasts (without accessory guest buildings)
    - Essential public services
- Add restrictions on a future hotel/inn use by referencing certain bed and breakfast establishment limitations from the Zoning Ordinance.
- Lower the lot coverage of C-2 WSE from 65% to 27%.
- Increase the front setback from zero (0) feet to 20 feet (with potential reductions based on established setbacks on neighboring property).
- Limit kitchen expansion, indoor dining capacity, hours of operation, cooking space, and dining space.
- Limit events to 75 attendees.
- Prohibit expanded outdoor dining within the public right-of-way.

The revised conditions were more comprehensive and seemed to address some of the concerns brought up at the March 19, 2026, Planning Commission meeting. However, at the April 16,

2026, meeting, the Planning Commission agreed with Staff that a new public hearing would be required due to the extent of changes to the conditions offered by the applicant and based on a reading of Section 154.176 I(2)(h) of the Zoning Ordinance, which requires the Planning Commission to hold a new public hearing when new conditions are offered and previous conditions are withdrawn:

> *(h) The offer of conditions may be amended during the process of rezoning consideration provided that any amended or additional conditions are entered voluntarily by the owner. An owner may withdraw all or part of its offer of conditions any time prior to final rezoning action of the City Council provided that, if the withdrawal occurs subsequent to the Planning Commission's public hearing on the original rezoning request, then the rezoning application shall be referred to the Planning Commission for a new public hearing with appropriate notice and a new recommendation.*

In response, the applicant verbally amended their request during the April 16, 2026, meeting to revert to the conditions offered on January 23, 2026, to avoid the need for a new hearing and a delay of the Planning Commission's recommendation by another month. However, the applicant did not provide the original conditional rezoning ordinance and conditions during the meeting, as part of their request to revert to their initial submittal. Further, City Staff members were not aware of this change of strategy before the applicant's announcement during the meeting.

Commissioners expressed concern about the intensity of the proposed use, including the potential number of event attendees on a small site, parking demand, and enforcement of conditions running with the land. They also questioned extending increased commercial intensity further from Water Street prior to completion of the Master Plan. It was noted that the proposal does not clearly fit the hotel(inn) definition. Commissioners indicated that future land use and zoning for Butler Street should be addressed through the upcoming master planning effort and related text amendments, and reiterated concerns with expanding commercial intensity closer to residential areas.

Considering the lack of support for the original conditions at the March 19, 2026, meeting, the absence of paperwork and packet materials related to the reversion to the original request, and an analysis of the standards for considering a rezoning from Section 154.176(C)(1)(b) of the Zoning Ordinance, the Planning Commission unanimously recommended denial of the request to rezone the subject land to C-2 WSE with the original conditions.

Proposed Hotel(Inn) Use

Questions also remained at the Planning Commission meeting about whether the proposed use meets the definition and requirements of a "hotel(inn)." The definition specifies interior hallway access to guestrooms and references a single *building*, which conflicts with Wickwood's existing layout, which includes multiple guest buildings and exterior-access guest units (primarily for the two-unit accessory building). However, the applicant has also submitted a Zoning Ordinance text amendment to address this issue in the event that the conditional rezoning request is approved.

*HOTEL (INN). **A building** comprised of attached, furnished, sleeping rooms, containing bathroom facilities, which are **accessible by interior hallways**, in which transient lodging or boarding are offered to the public for compensation. A hotel may contain a restaurant(s), gift and specialty shop(s), swimming pool and exercise facilities, lounge(s), and conference rooms(s); provided these uses are clearly accessory to the hotel. A hotel shall not be considered or construed to be a motel, bed and breakfast establishment, multiple- family dwelling, or similar facility.*

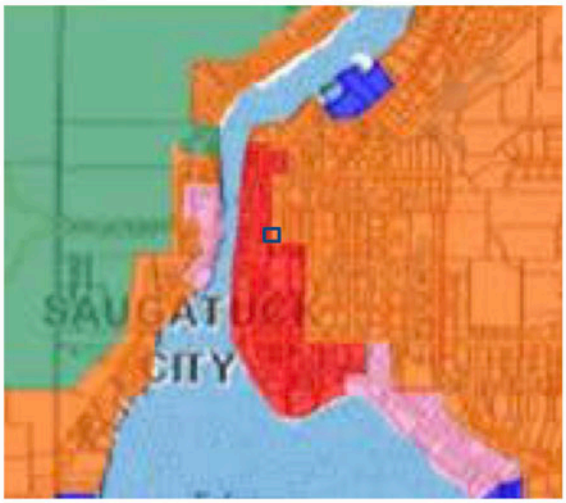
Section 154.176 (C)(1)(b) Factors to Consider

When reviewing a rezoning application, with or without proposed conditions, the Planning Commission and City Council must consider the following factors:

1. *Whether the rezoning is consistent with the policies and uses proposed for that area in the city's Master Land Use Plan.*

   Comment: The property at 120 Mary Street is classified as "Commercial" on the Future Land Use Map of the Tri-Communities Master Plan, while 510 Butler Street is designated as "Medium to High Density Single and Multiple-Family Residential." Extending C-2 WSE zoning to 120 Mary Street would be consistent with the property's past zoning and the future land use plan. Designating 510 Butler Street as C-2 WSE is a minor departure from the plan, as it is at the edge of the future land use boundary and would extend commercial zoning northward along Butler Street to Mary Street.

   Since the future land use map serves as a guide, minor deviations can be considered, but in conjunction with all other factors. Considering the proposed restrictions on the front setback, maximum lot coverage, and limitations on commercial uses, the departure could be considered less concerning than it would be if voluntary conditions were not offered. However, the Planning Commission still felt that increased usage, even if site conditions remained the same, would negatively affect the nearby residential blocks.



2. *Whether all of the uses allowed under the proposed rezoning would be compatible with other zones and uses in the surrounding area.*

   Staff Comments: If rezoned with the proposed conditions, the remaining allowable land uses include essential public services, retail stores, personal service establishments, art galleries, single-family detached dwellings, and apartments, including first-floor (with restrictions) and upper-floor units. Allowable dwelling units or apartments could be used for short-term rentals, and home occupations are also permitted. Subject to special land use approval, the landowner may also establish a hotel/inn, motel/motor court, restaurant, and business or professional offices.

   It should be noted that C-2 WSE does not allow accessory guest buildings for bed and breakfast establishments, so the current accessory use at 120 Mary would become nonconforming, and the secondary two-unit accessory guest building at 510 Butler could not be converted under the proposed zoning district. The applicant is addressing this under a separate text amendment request, which is planned for May consideration by the Planning Commission.

   While future site development would be restricted by tighter setbacks and lower lot coverage than C-2 WSE authorizes, the opportunity and feasibility of redeveloping the site or reusing it for a different permitted or special land use altogether remain. These unknowns, along with the number of event attendees (125), concerned the Planning Commission.

3. *Whether any public services and facilities would be significantly adversely impacted by a development or use allowed under the requested rezoning.*

Staff Comments: Rezoning to a more intensive land use has the potential to increase demands on public services and facilities. While the proposed voluntary conditions may mitigate some impacts, they do not fully address the anticipated effects associated with higher-intensity commercial use of the property. These impacts may include increased traffic, noise, and overall activity levels, particularly related to events and other permitted uses. The Planning Commission found that the voluntary conditions did not adequately address these potential impacts.

4. *Whether the uses allowed under the proposed rezoning would be equally or better suited to the area than uses allowed under the current zoning of the land.*

Staff Comments: While there is value in supporting the expansion of the Wickwood Inn, the currently proposed conditions provide less predictability than the previously offered (and since rescinded) conditions. Although certain uses would still require special land use approval, the range of uses permitted under the proposed zoning introduces the potential for future uses—by the current or subsequent owners—that may be less compatible with the surrounding area than those allowed under the existing R-4 zoning, which supports a boutique bed and breakfast establishment.

Recommendation

The Planning Commission recommended denial by a unanimous vote (6-0) at their meeting on April 16, 2026.

Motion by Marineau, supported by LaChey, to recommend denial of the proposed ordinance to amend the zoning map at the City of Saugatuck. I recommend denial of the rezoning of 120 Mary Street and 510 Butler Street with voluntary conditions, as offered by staff based on the findings related to 154.176 (C)(1)b of the zoning ordinance as outlined in the memo dated February 13, 2026, and as discussed by planning commissioners with reservations they had during the discussion at the April 16th and March 19th Planning Commission meetings.

December 1, 2025

Planning Commission
City of Saugatuck
102 Butler St.
Saugatuck MI, 49453

RE: Determination Letter – Bed & Breakfast Establishment

Planning Commission:

You have requested a formal determination of the permitted scope of operations which take place in or in relation with a Bed & Breakfast Establishment. This request arose during the November 20, 2025 Planning Commission meeting where 510 Butler St./120 Mary St. presented a Special Land Use request to serve alcoholic beverages on site. During their presentation the applicant requested the ability to provide the service of alcoholic beverages to patrons, patrons guests, and other visitors by reservation. The applicant confirmed that the request was in part to the events including weddings and other gatherings that are hosted at the existing Bed & Breakfast Establishment calling into question the definition and intention of such establishment and of establishments similar in nature.

Applicable Definitions

Section 154.005 of the City of Saugatuck's Zoning Ordinance defines as follows:

BED AND BREAKFAST ESTABLISHMENT. A residential building occupied by the owner(s) or resident manager, along with associated accessory guest buildings allowable within certain districts, which has sleeping rooms available for rent by transient people on a short-term basis.

HOTEL (INN). A building comprised of attached, furnished, sleeping rooms, containing bathroom facilities, which are accessible by interior hallways, in which transient lodging or boarding are offered to the public for compensation. A hotel may contain a restaurant(s), gift and specialty shop(s), swimming pool and exercise facilities, lounge(s), and conference rooms(s); provided these uses are clearly accessory to the hotel. A hotel shall not be

considered or construed to be a motel, bed and breakfast establishment, multiple- family dwelling, or similar facility.

MOTEL. A commercial enterprise oriented to the public traveling by motor vehicle, with individual sleeping rooms typically exiting directly to the outside, with patron parking located at or near each room exit. A motel may contain an accessory restaurant, gift and specialty shop, lounge, swimming pool, and exercise facilities.

MOTOR COURT. A grouping of single story attached, semi-detached, or detached, furnished rental units each containing a bedroom, bathroom, and closet space, with or without a kitchen, less than 700 square feet in floor area, in which transient, overnight, lodging, or boarding are offered to the public for compensation. A motor court may contain shared amenities (for example, a swimming pool) for renters of the units and their guests but not separate commercial uses (for example, restaurants, gift or retail shops).

MOTEL/MOTOR COURT. A series of attached, semi-detached or detached, furnished, rental units each containing a bedroom, bathroom and closet space in which transient, overnight, lodging or boarding are offered to the public for compensation. The design of a motel is oriented to the public traveling by motor vehicle with individual sleeping rooms typically exiting directly to the outside with patron parking located at or near each room exit. A motel may contain a restaurant, gift and specialty shop, lounge and swimming pool and exercise facilities, provided, these are uses clearly accessory to the motel.

Analysis

The operational intent of a Bed & Breakfast Establishment is residential in character and limited to the provision of sleeping rooms to transient guest on a short-term basis. The definition does not authorize commercial food and beverage services, public-facing hospitality amenities, or event-oriented activities. The absence of such allowances indicates a deliberate expectation that the use remains low-intensity and residentially compatible.

Other lodging categories – including hotels, motels, and motor courts – are expressly permitted to operate restaurants, retail establishments, and event spaces as accessory uses. These allowances recognize higher operational intensity and broader public-facing activity which aligns with the permitted Zoning Districts. The lack of comparable accessory permissions in the Bed & Breakfast definition underscores that such commercial functions

are not intended to be associated with a Bed & Breakfast Establishment. The Zoning Ordinance provides a distinction between residential lodging and commercial hospitality operations.

Providing alcoholic beverages to individuals who are not registered overnight guests—including event attendees, reservation-only visitors, or other non-lodgers—constitutes a separate commercial activity not incidental to lodging. This type of service aligns with hotel lounge operations and is not authorized within the definition of a Bed & Breakfast Establishment. Expanding alcohol service to the general public or to event participants exceeds the intended operational boundaries of the use.

Under regulation as a Special Land Use the Planning Commission may find it permissible to allow for the service of alcohol beverages to overnight guests in an incidental manner where location and proposed operation are taken into consideration.

Weddings, receptions, and comparable gatherings introduce operational impacts such as increased parking demand, elevated noise levels, higher traffic volumes, and intensified site activity. These impacts are inherently inconsistent with the low-intensity, residential character of a Bed & Breakfast Establishment. While they may not cause an issue under certain circumstances such as when they are located near commercial districts, the Zoning Ordinance currently contains no provision allowing a Bed & Breakfast to function as an event venue or assembly use. Accordingly, at present, event hosting falls outside the permissible scope of the use category.

When a Bed & Breakfast begins introducing alcohol service to non-lodgers or hosting recurring events, its operational profile shifts beyond the definition of a Bed & Breakfast and into the territory of a commercial hospitality venue. These activities align with those expressly contemplated for a Hotel (Inn) or similar commercial lodging classification. The ordinance treats these categories as distinct and not interchangeable. A Bed & Breakfast engaging in these expanded activities effectively operates outside its permitted use classification.

Determination

A Bed & Breakfast Establishment, as defined in Section 154.005 of the City of Saugatuck Zoning Ordinance, is limited to transient lodging within a residential building occupied by an owner or resident manager. Alcohol service may occur only when it is incidental to lodging

and exclusively for registered overnight guests. Alcohol service to non-lodgers—whether by reservation or event attendance—is not permitted and constitutes a separate commercial use. Hosting weddings, receptions, or similar gatherings is not within the authorized scope of a Bed & Breakfast Establishment. These functions correspond to the operational profile of a commercial lodging category, such as a Hotel, and therefore exceed what is allowable under the Bed & Breakfast definition.

Sincerely,

Grayson Moore

Director of Planning & Zoning

Wickwood Inn Conditional Rezoning Request

Saugatuck City Commission
May 6, 2026

MCKENNA

Thank You for Your Consideration

- **About Wickwood Inn**
- **What are Wickwood's Goals?**
- **Why a Conditional Rezoning?**
- **What else would be required?**
- **What Voluntary Conditions is Wickwood Offering?**
- **Why should the City Council approve the request?**


THE
WICKWOOD
INN

A Heritage of Hospitality in a Design-Forward Inn

Originally built in 1937 as the Colonial revival home of Frank Wicks, former mayor of Saugatuck, the property has always stood at the heart of town — just steps from the many delights of downtown Saugatuck, the Chain Ferry, and the Kalamazoo River. In 1981, Sue and Stub Louis transformed the house into the Wickwood Inn – Saugatuck's first bed-and-breakfast, modeled after London's charming Brown's Hotel.

A decade later, gourmet food veteran Julee Rosso – co-author of *The Silver Palate Cookbook* – and her partner, Bill Miller, took the reins. Together, they made the Wickwood a farm-to-table culinary destination, celebrated in Travel + Leisure and The New York Times for its soulful food and gracious hospitality.

In 2021, the inn entered a new chapter under the stewardship of **Shea Soucie** and **Martin Horner**, co-founders of Chicago-based luxury interior design firm **Soucie Horner Design Collective**. The pair's intention? To redefine boutique hospitality by inviting guests to explore the intersection of thoughtful design, culinary creativity, and Midwestern warmth.

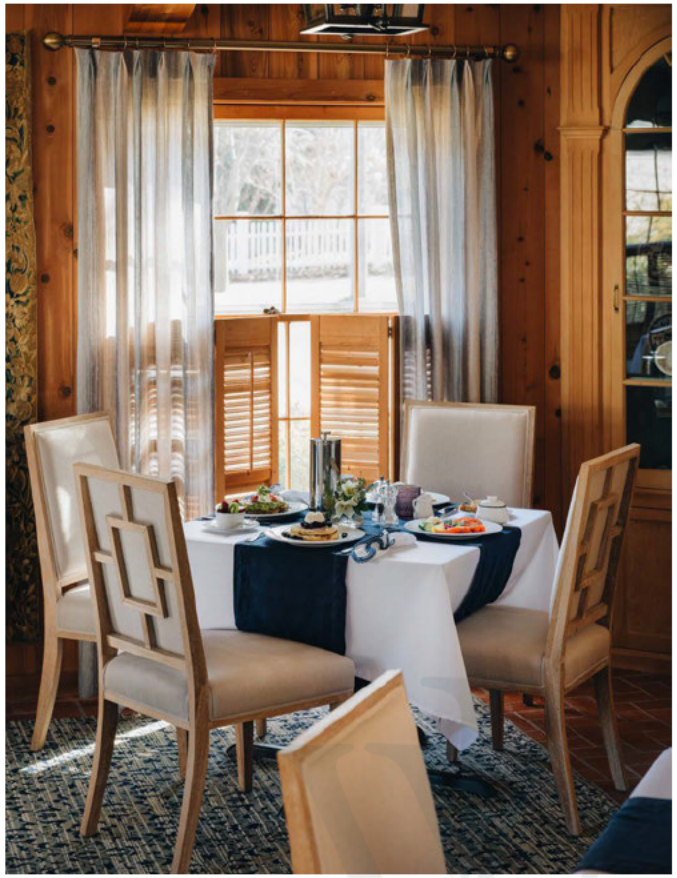
Today, The Wickwood continues to evolve, providing visitors with memorable stays hosted by Executive Chef and General Manager Rose Duong. A trusted SHDC partner for more than two decades, Rose collaborates continuously with Shea and Martin to create and curate opportunities for food, design, and hospitality to converge.

More than a chef or a general manager, Rose is the architect of a hospitality experience where food, interiors, and service meld into a memorable whole. From her dynamic, seasonal breakfast menus to delectable lunches, poolside snacks, and inventive mocktails, Rose's leadership of the Wickwood Inn mirrors SHDC's design philosophy: refined, regionally inspired, and deeply personal.













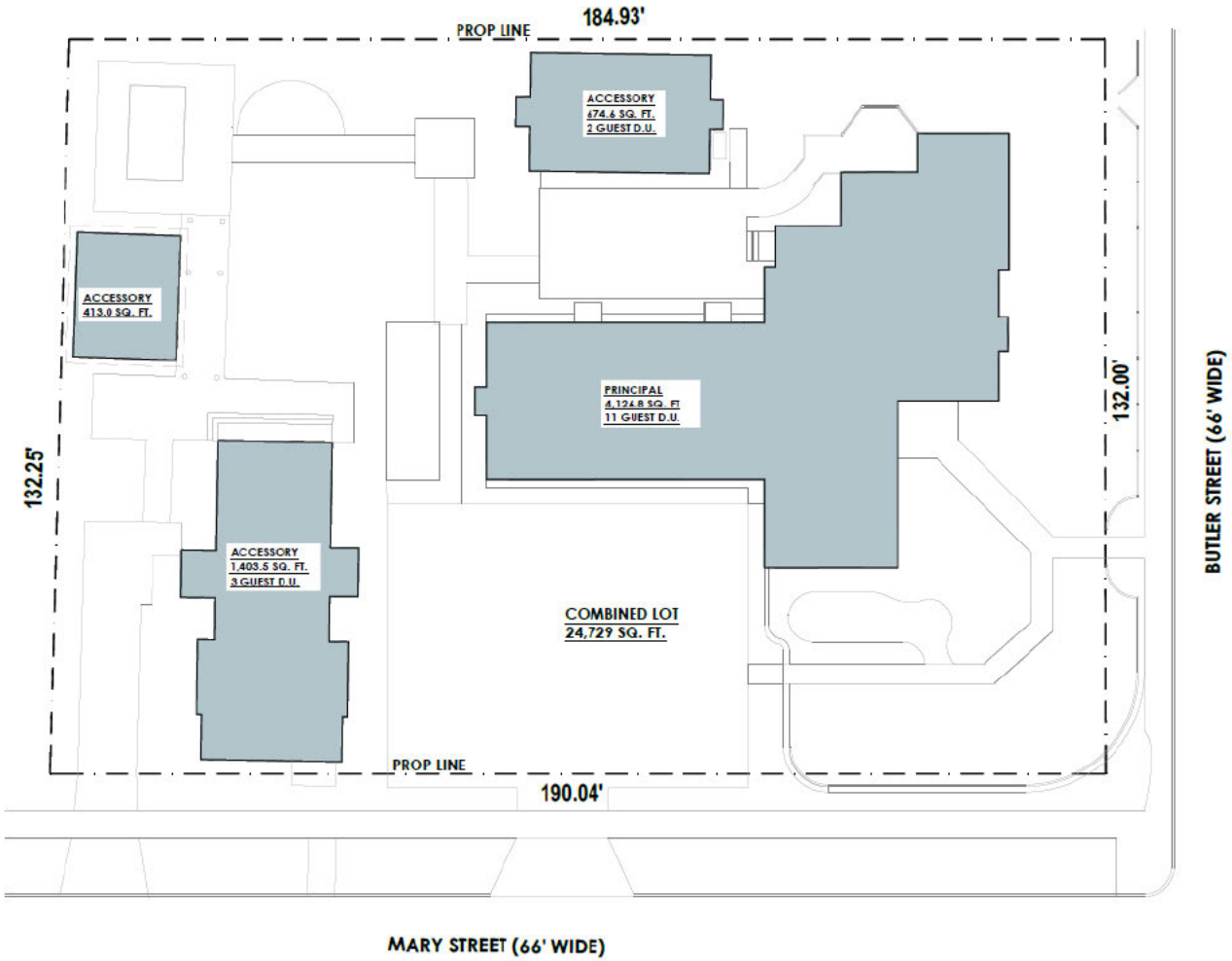






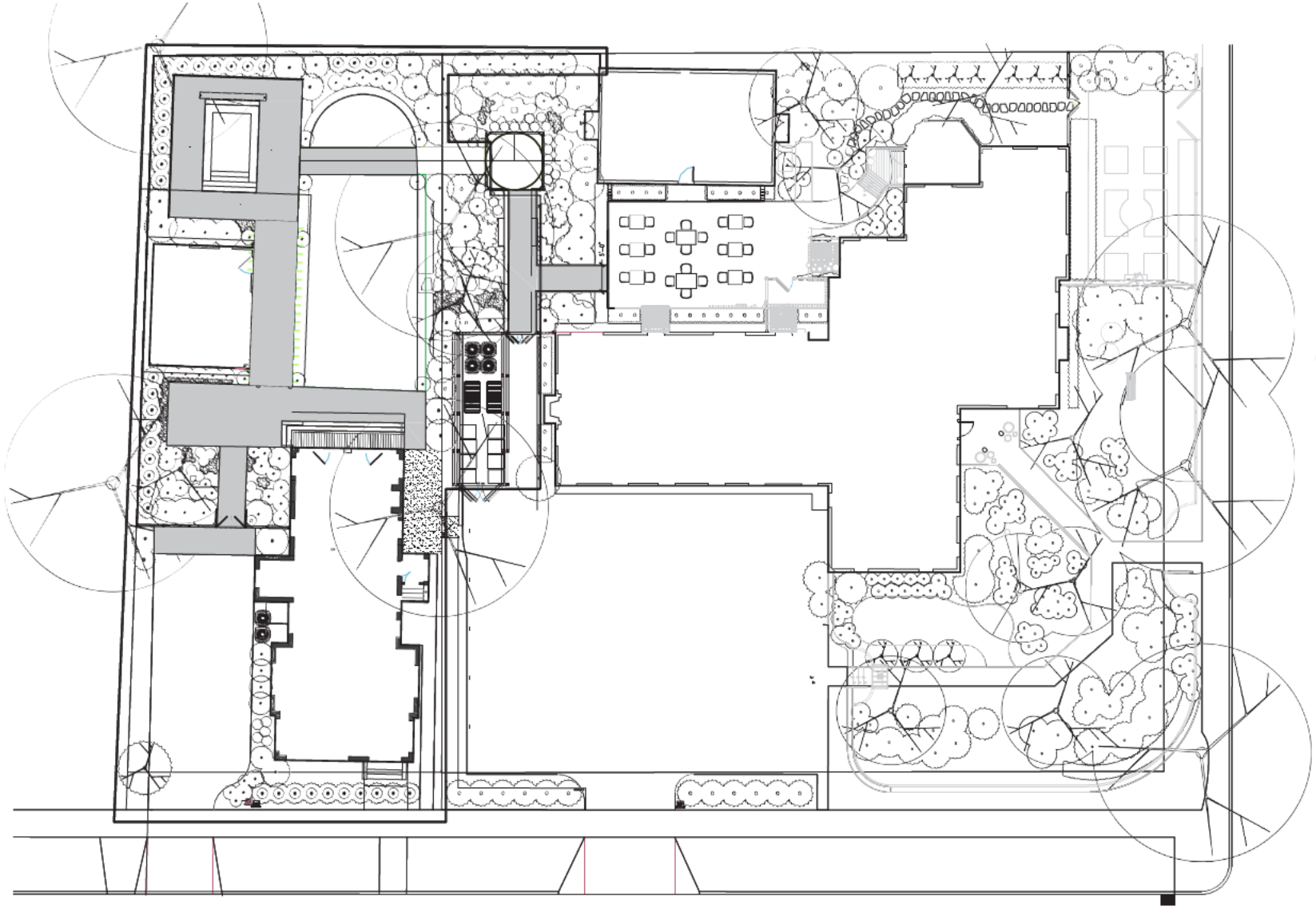


Wickwood Inn



Guest Rooms

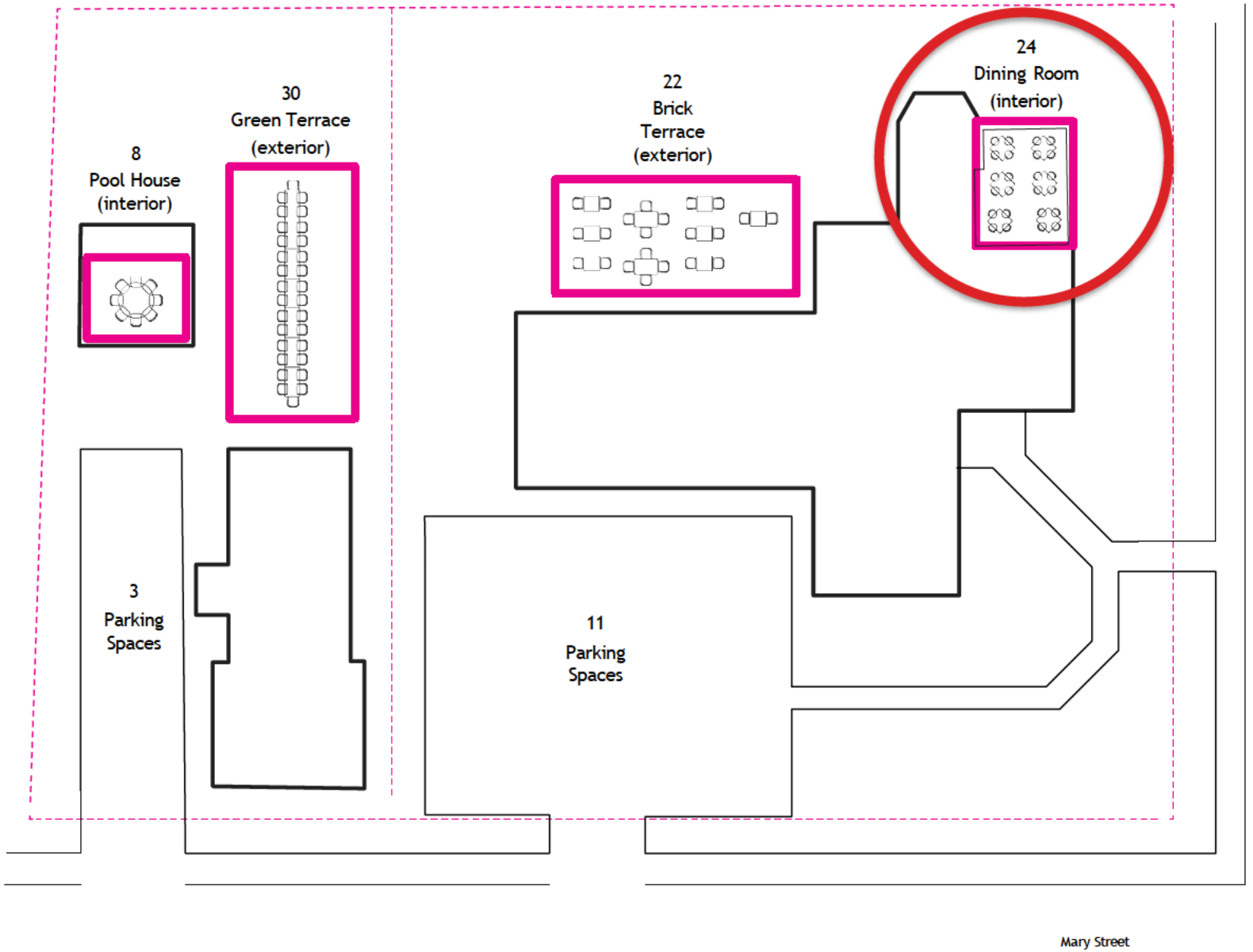
- 14 Guest Rooms
  - ✓ 11 in Main House
  - ✓ 3 in Bungalow
- 2 Rooms Approved for Carriage House (future phase)



Dining

- **Dining**
  - ✓ Seating Capacity: **24**
  - ✓ Breakfast Included in Room Rate
  - ✓ Other Meals Can Be Served to Guests*
  - ✓ **Cannot Serve Food to General Public**
  - ✓ **Not Currently Approved for Alcohol Sales but can apply for license under a Bed & Breakfast**

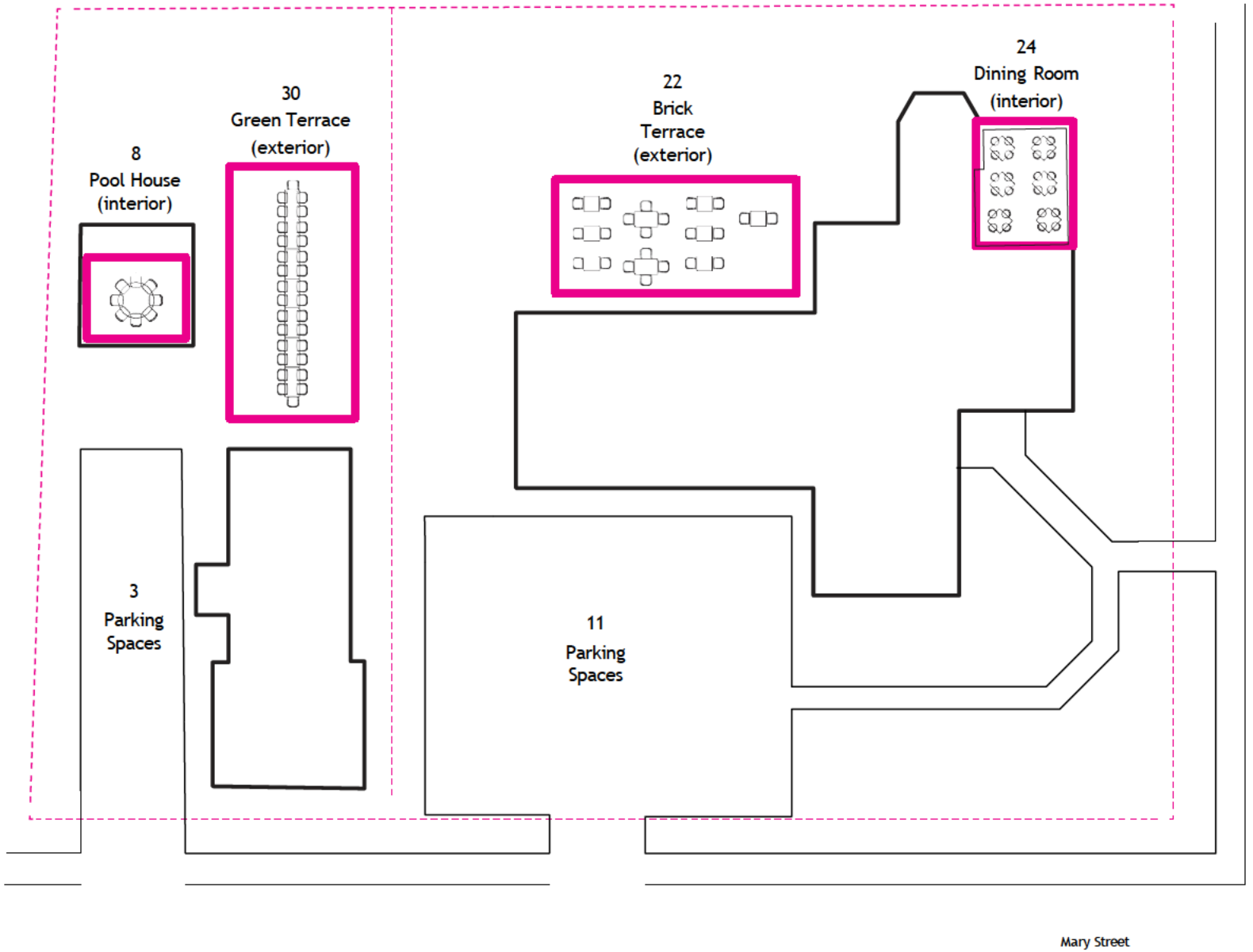
**Confirmed by Planning and Zoning Director Grayson Moore*


8
Pool House
(interior)
30
Green Terrace
(exterior)
22
Brick
Terrace
(exterior)
24
Dining Room
(interior)
3
Parking
Spaces
11
Parking
Spaces
Butler
Street
Mary Street

“Activities” (Events)

- **“Activities” (Events)**
  - ✓ Seating Capacity: **84**
  - ✓ Capacity without Seating: **~125**
  - ✓ Limited to **Overnight Guests***

**Clarified by Planning and Zoning Director Grayson Moore*


8
Pool House
(interior)
30
Green Terrace
(exterior)
22
Brick
Terrace
(exterior)
24
Dining Room
(interior)
3
Parking
Spaces
11
Parking
Spaces
Butler
Street
Mary Street

Wickwood's Goals

- More **Shoulder Season** Offerings
- Become an Amenity for the **Local** Community
- Keep Reputation for **Refined Luxury**
- Keep **"Boutique"** Scale
- **Preserve** Historic Butler Street

Wickwood's Goals

- Serve **Alcohol** as part of Food and Beverage Services.
- Allow Non-Guests to **Attend Events**.
- Offer **Limited** Dining Opportunities to the General Public.
  - ✓ **Reservation-Only**
  - ✓ Available **Only** if Dining Slots are **Not Filled** by Overnight Guests
  - ✓ Seating Capacity: **24** Diners **(No Expansion Plans)**

Current Zoning Status

- Zoned **R-4/CER**
- Classified as **Bed and Breakfast Establishment**
- **Limitations:**
  - ✓ No Food Service to General Public
  - ✓ Events Limited to Overnight Guests
  - ✓ Need Special Use Approval to Serve Alcohol
  - ✓ Amenities (pool, etc) Limited to Overnight Guests
  - ✓ Additional Noise/Nuisance Restrictions
  - ✓ Limits on Number of Guests and Length of Stay

Requested Zoning District

- **C-2/WSE**
- *Could be* Classified as **Hotel (Inn)**
  - ✓ Would need **Special Use Approval**
- **Major Changes in Regulations:**
  - ✓ Food Service to General Public **Permitted**
  - ✓ No Restrictions on Event Guests
  - ✓ No **Special Use Approval** to Serve Alcohol
    - Liquor License Still Required

Saugatuck Zoning Map



ZONING

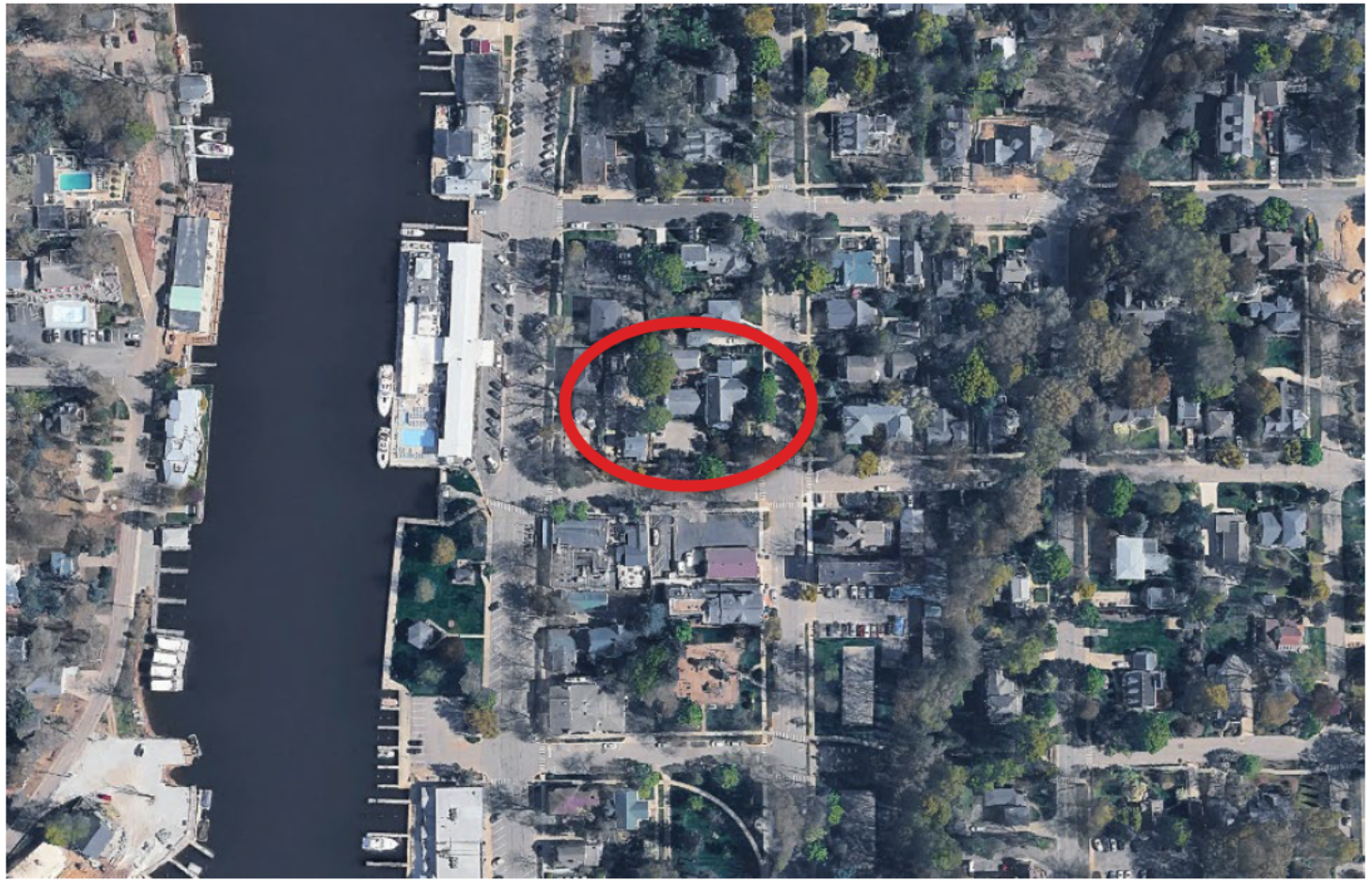
- Blue Star District - LI-1
- Center Residential - R-4
- City Center - C-1
- Community Residential - R-1
- Conservation, Recreation & Camp - CRC
- Cultural Community
- Lake Street - R-2
- Maple Street - R-1
- Multi-Family Residential - MR
- Neighborhood Marine - NHM
- Peninsula North (Duneside) - R-1
- Peninsula North (Riverside) - R-1
- Peninsula South - R-1
- Peninsula West - R-1
- Resort District - C-4
- Summer Resort & Park Association - SRP
- Water (Rivers/Lakes) - W
- Water Street Commercial - C-2
- Water Street East - C-2
- Water Street North - C-1
- Water Street South - C-2

Tri-Community Master Plan

"Downtown Saugatuck features larger, older homes that contribute to the downtown's charm, many of which have been converted to profitable ***bed and breakfast establishments***"

"Downtown Saugatuck will continue to serve as the major center for commercial tourist activities. This should be encouraged. However, the downtown area should not be permitted to expand outside the area presently zoned for downtown commercial use. Appropriate measures should be instituted as necessary to ***mitigate impacts of the city center on adjoining residential areas****."*

Wickwood is the Transition Point



Voluntary Conditions

- **City and Wickwood Share a Vision:**
  - ✓ **Boutique** Scale
  - ✓ Historic **Preservation**
  - ✓ **Quality** over Quantity
  - ✓ Transition from **Downtown/Waterfront** to **Residential**

Voluntary Conditions

- C2/WSE Principal Uses **Not** Permitted:
  - ✓ Motion Picture Facilities
  - ✓ Amusement and Recreation Services
  - ✓ Recreational Transportation Facilities
  - ✓ Parking Facilities

Voluntary Conditions

- No **Sidewalk Cafes**
- Limit of **125** attendees at Events.
- Maximum Lot Coverage Reduced from **65%** to **27%**
  - ✓ ***No building expansions permitted.***

Voluntary Conditions

- **R-4/CER** Standards instead of C-2/WSE:
  - ✓ Setbacks
  - ✓ Building Height
  - ✓ Signage
  - ✓ Lighting

Additional Voluntary Conditions

- Wickwood **tried to propose** these to the Planning Commission.
- Doing so would have **delayed the process** into the high season.
- Wickwood would accept these as **Conditions of a Special Use Permit** to re-classify to Hotel(Inn).

Additional Voluntary Conditions

- Prohibit **all** uses that are allowed in C-2/WSE but **not** R-4/CER, except Hotel(Inn).
- **Reduce** maximum number of event attendees (**75-85**)
- Prohibit **expansion** of Kitchen and/or Dining Room.
- Limit **Dining Hours** to 8 AM to 8 PM.
- Keep some Bed and Breakfast **Limits** in Place:
  - ✓ 2 Adults per Guest Room
  - ✓ No Stays Longer than 14 Days
  - ✓ Noise/Nuisance Limitations

Conclusion

- Wickwood is a **valuable asset** to Saugatuck's tourist industry.
- Wickwood wants to **serve locals**, not just tourists.
- Wickwood wants to stay at an **appropriate scale**.
- Wickwood creates a natural **land use transition**.

Conclusion

- Wickwood is willing to **voluntarily limit** its operations and future expansion.
- Wickwood would need **additional approvals** and is willing to accept **further limitations** during that process.



Thank You for Considering our Request

MCKENNA

MCKENNA

April 28, 2026

City Council
City of Saugatuck
102 Butler Street
Saugatuck, MI 49453

Subject: Proposed Conditional Rezoning of Wickwood Inn

Dear Council Members,

On behalf of Wickwood Inn's application for a Conditional Rezoning from R-4/CER to C-2/WSE, below please find an overview of the proposal and responses to the questions on the application form.

PURPOSE OF REQUEST

Wickwood Inn is proposing to rezone the parcels at 510 Butler Street and 120 Mary Street from R-4/CER to C-2/WSE, and has proposed voluntary conditions in a draft Conditional Rezoning Agreement (which is attached). The purpose of the conditions is to ensure the preservation of the character of the Butler Street corridor, as described in the Tri-Community Master Plan, which is a goal of both Wickwood and the City.

Wickwood is requesting the Conditional Rezoning due to a desire to increase their offerings for their guests, Saugatuck residents, and other visitors to the City. Specifically, they intend to:

- On a reservation-only basis, open their dining room to the public. The operational model would be that reservations would only be opened to the general public if overnight guests do not fill all available spots for a given meal service.
- Host events at the Bed and Breakfast that are consistent in scale with the property's size and layout, without restrictions on whether all of the attendees are overnight guests.
- Serve alcohol as part of their meal service and event operations.

To that end, Wickwood wishes to be rezoned to the C-2/WSE District, in order to then subsequently request Special Use Approval to be re-classified as a **Hotel(Inn).** The rezoning would allow alcohol sales (pending liquor license approval). The other two operational elements would require Special Use Approval from the Planning Commission.

VOLUNTARY CONDITIONS

In order to preserve the character of both the Wickwood site and the broader Butler Street corridor, Wickwood is proposing the following voluntary conditions on the rezoning:

- The following land uses, which would otherwise be permitted by Special Use Permit in the C-2/WSE District, shall not be permitted as principal uses on the property:
    - Motion Picture Facilities

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  - Amusement and Recreation Services
  - Recreational Transportation Rental Facilities
  - Parking Facilities (as a principal use of land).

- Expanded Outdoor Dining, which is defined in Section 154.092.O.2 as outdoor dining within a public right-of-way, shall not be permitted accessory to Wickwood Inn.

- The maximum number of people attending any special event, or simultaneous special events, shall be 125.

- The maximum lot coverage shall be reduced from 65% to 27%.

- For the purposes of zoning regulations not specifically listed above, the property shall be subject to the provisions of the R-4/CER District. This includes, but is not limited to:

  - Dimensional standards such as setbacks and building heights.
  - Lighting requirements.
  - Signage requirements.

PLANNING COMMISSION RECOMMENDATION

On April 16, the Planning Commission recommended denial of the Conditional Rezoning. However, we respectfully request that the City Council reconsider that position. Wickwood's request is limited in scope by the voluntary conditions and could be limited further by the Special Use Approval. In fact, Wickwood attempted to submit additional voluntary conditions to further limit itself, but was told that doing so would delay a decision on the application.

On the following pages, please find our responses to the application form questions.

APPLICATION FORM QUESTION 1

Please explain how the Conditional Rezoning is consistent with the polices and uses proposed for that area in the city's Master Land Use Plan.

The proposed Conditional Rezoning would expand the C-2/WSE district to the parcels highlighted below.



In the Tri-Community Master Plan that covers the Cities of Saugatuck and Douglas, as well as Saugatuck Township, that area is on the edge of the "Commercial" and "Medium to High Density Single and Multi-Family Residential" categories.

Specifically, on Page 10-5, the Plan states *"Downtown Saugatuck features larger, older homes that contribute to the downtown's charm, many of which have been converted to profitable bed and breakfast establishments*" and, on Page 10-6, *"Downtown Saugatuck will continue to serve as the major center for commercial tourist activities. This should be encouraged. However, the downtown area should not be permitted to expand outside the area presently zoned for downtown commercial use. Appropriate measures should be instituted as necessary to mitigate impacts of the city center on adjoining residential areas."*

The Conditional Rezoning is intended to allow reasonable expansions of the Wickwood Inn operation without threatening the character of the Butler Street corridor, as described in the Master Plan. The restrictions on intensive uses and the retention of R-4/CER site and building design standards will ensure that the historic,

residential character of Butler Street is preserved, while also expanding Saugatuck's hospitality offerings for residents and guests.

The site's location right on the edge of the downtown commercial/mixed use core makes the proposal particularly appropriate as a transitional land use between that core and the more residential blocks to the north.

QUESTION 2

Please explain how all of the uses allowed under the proposed Conditional Rezoning would be compatible with other zones and uses in the surrounding area.

The Conditional Rezoning protects the residential uses to the north and east by prohibiting intensive uses and only expanding the authorized uses on the site to those that can be operated accessory to the existing lodging facility.

Additionally, given the layout of the site, any noticeable increases in activity would likely take place on the Mary Street side of the facility, where the parking entrance is, and where adjacent land uses are more commercial and mixed use in nature.

QUESTION 3

Please explain how public services and facilities would not be significantly adversely impacted by development or use allowed under the requested Conditional Rezoning.

While the operations of Wickwood Inn would expand in nature, the expansion in scale would be minor, and would not increase substantially increase Wickwood's need for public services and facilities.

QUESTION 4

Please explain if the uses allowed under the proposed Conditional Rezoning would be equally or better suited to the area than uses allowed under the current zoning of the land.

Operating a lodging use under the regulations for Bed and Breakfast Establishments ensures that the facility remains quaint and harmonious with residential and historical surroundings, like the area around Wickwood. However, those regulations are also highly limiting on the operations of the facility, which can negatively impact the guest experience. Being able to offer limited public dining experience, as well as events for a broader set of attendees, would allow Wickwood to give its guests a more customizable experience, especially during "shoulder season." This will enhance the economic viability not only of Wickwood itself, but of Downtown Saugatuck more broadly.

Additionally, the creation of a "buffer zone" between C-1/CC and R-4/CER would further protect the historic residential character of the blocks to the north. Wickwood already serves as a transition point between the core downtown and the residential area, and this Conditional Rezoning would allow it to do so for many years into the future.

We look forward to discussing this request with the Planning Commission at any upcoming meeting.

Respectfully Submitted,

McKenna

Christopher Khorey, AICP
Vice President

Kyle Mucha, AICP
Principal Planner

Rezoning / Amendment Application

LOCATION INFORMATION — **APPLICATION NUMBER** ____ - _____

Address 510 Butler Street / 120 Mary Street Parcel Number 57-300-055-00
57-300-053-50

APPLICANTS INFORMATION

Name Christopher Khorey (McKenna) AICP Address / PO Box [redacted]

City Grand Rapids State MI Zip 495[redacted]

Interest In Project Consulting Planner E-Mail [redacted]

Signature _____ Date 1-23-26

OWNERS INFORMATION (IF DIFFERENT FROM APPLICANTS)

Name Wickwood Inn Address / PO Box 510 Butler Street

City Saugatuck State MI Zip 49453 Phone [redacted]

I hereby authorize that the applicant as listed above is authorized to make this application for proposed work as my agent and we agree to conform to all applicable laws and regulations of the City of Saugatuck. I additionally grant City of Saugatuck staff or authorized representatives thereof access to the property to inspect conditions, before, during, and after the proposed work is completed.

Signature _____ Date _____

REQUEST:

Map Amendment X Text Amendment ___

Description of Requested Amendment See attached proposed conditional rezoning agreement

Rezoning/ Amendment Application

Application # ___-____

STANDARDS FOR APPROVAL PER SECTION 154.176

1. Please explain how the rezoning is consistent with the policies and uses proposed for that area in the city's Master Land Use Plan; See attached

2. Please explain how all of the uses allowed under the proposed rezoning would be compatible with other zones and uses in the surrounding area; See attached

3. Please explain how any public services and facilities would not be significantly adversely impacted by a development or use allowed under the requested rezoning; and See attached

4. Please explain if the uses allowed under the proposed rezoning would be equally or better suited to the area than uses allowed under the current zoning of the land. See attached.

OFFICE USE ONLY:

Application Complete _____ Date _____ Fee Paid _____ Date Paid _____

Notices Sent Paper _____ Resident Notification _____

Notes: _____

MCKENNA

January 23, 2026

Planning Commission
City of Saugatuck
102 Butler Street
Saugatuck, MI 49453

Subject: Proposed Conditional Rezoning – Supporting Materials and Application Form Responses

Dear Commissioners,

In support of Wickwood Inn's application for a Conditional Rezoning from R-4/CER to C-2/WES, below please find an overview of the proposal and responses to the questions on the application form.

PURPOSE OF REQUEST

Wickwood Inn is proposing to rezone the parcels at 510 Butler Street and 120 Mary Street from R-4/CER to C-2/WES, and has proposed voluntary conditions in a draft Conditional Rezoning Agreement (which is attached). The purpose of the conditions is to ensure the preservation of the character of the Butler Street corridor, as described in the Tri-Community Master Plan, which is a goal of both Wickwood and the City.

Wickwood is requesting the Conditional Rezoning due to a desire to increase their offerings for their guests, Saugatuck residents, and other visitors to the City. Specifically, they intend to:

- Serve breakfast, lunch, and dinner from their on-site restaurant, which currently only serves breakfast.
- Open their restaurant to the general public, instead of its current limitation of only serving guests at the inn.
- Host on-site events, such as retreats and weddings.
- Open their gift shop to the general public.

To that end, Wickwood wishes to be rezoned to the C-2/WES District, which allows the following land uses:

- Motel/Motor Courts by Special Land Use
  - *Wickwood wishes to be classified as this land use for zoning purposes and intends to apply for a Special Use Permit if the Conditional Rezoning is approved – see below.*

- Restaurants, which are permitted by right, and are not limited to service to overnight guests, when accessory to Motel/Motor Courts per Section 154.092.B.3.b.

- Retail stores, by right.

- Meeting and/or conference rooms, which are permitted by right when accessory to Motel/Motor Courts, but are limited "exclusively" to guests per Section 154.092.B.3.c. Wickwood has applied for separately to change that wording to "primarily" in order to allow non-guests to attend events alongside overnight guests. That application is under separate cover, with further explanation included.

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CLASSIFICATION AS MOTEL/MOTOR COURT

While Wickwood has no plans to alter the character of their lodging and will continue to market themselves to the general public as a “Bed and Breakfast”, they wish to seek approval to be classified as a Motel/Motor Court under the Zoning Ordinance. It is acknowledged that a Special Use Permit would be required, subsequent to the Conditional Rezoning, to be granted that classification.

The definition of Motel/Motor Court, from Section 154.005, is as follows:

MOTEL/MOTOR COURT. *A series of attached, semi-detached or detached, furnished, rental units each containing a bedroom, bathroom and closet space in which transient, overnight, lodging or boarding are offered to the public for compensation. The design of a motel is oriented to the public traveling by motor vehicle with individual sleeping rooms typically exiting directly to the outside with patron parking located at or near each room exit. A motel may contain a restaurant, gift and specialty shop, lounge and swimming pool and exercise facilities, provided, these are uses clearly accessory to the motel.*

Wickwood’s current operation, including the previously approved Accessory Guest Units, is consistent with this definition. Therefore, provided that Special Use and Site Plan requirements can be met, it would be appropriate for Wickwood to be considered a Motel/Motor Court, and be subject to those regulations, rather than those for Bed and Breakfast Establishments.

VOLUNTARY CONDITIONS

In order to preserve the character of both the Wickwood site and the broader Butler Street corridor, Wickwood is proposing the following voluntary conditions in the Conditional Rezoning Agreement.

- The following land uses, which would otherwise be permitted by Special Use Permit in the C-2/WES District, shall not be permitted on 510 Butler or 120 Mary. The Conditional Rezoning Agreement includes language ensuring that appropriate facilities for guests are not deemed to be included on this list.
    - Motion Picture Facilities
    - Amusement and Recreation Services
    - Recreational Transportation Rental Facilities
    - Parking Facilities (as a principal use of land).
- Expanded Outdoor Dining, which is defined in Section 154.092.O.2 as outdoor dining within a public right-of-way, shall not be permitted accessory to 510 Butler or 120 Mary.
- The maximum number of people attending any special event, or simultaneous special events, shall be 125.
- For the purposes of zoning regulations not specifically listed in the agreement, 510 Butler and 120 Mary shall be subject to the provisions of the R-4/CER District. This includes, but is not limited to:
    - Dimensional standards such as setbacks and building heights.
    - Landscaping requirements.
    - Lighting requirements.
    - Signage requirements.

Wickwood is willing to consider additional voluntary conditions that do not interfere with their purpose for proposing the Conditional Rezoning, as described above.

APPLICATION FORM QUESTION 1

Please explain how the Conditional Rezoning is consistent with the polices and uses proposed for that area in the city's Master Land Use Plan.

The proposed Conditional Rezoning would expand the C-2/WES district to the parcels highlighted below.



In the Tri-Community Master Plan that covers the Cities of Saugatuck and Douglas, as well as Saugatuck Township, that area is on the edge of the "Commercial" and "Medium to High Density Single and Multi-Family Residential" categories.

Specifically, on Page 10-5, the Plan states *"Downtown Saugatuck features larger, older homes that contribute to the downtown's charm, many of which have been converted to profitable bed and breakfast establishments"* and, on Page 10-6, *"Downtown Saugatuck will continue to serve as the major center for commercial tourist activities. This should be encouraged. However, the downtown area should not be permitted to expand outside the area presently zoned for downtown commercial use. Appropriate measures should be instituted as necessary to mitigate impacts of the city center on adjoining residential areas."*

The Conditional Rezoning is intended to allow reasonable expansions of the Wickwood Inn operation without threatening the character of the Butler Street corridor, as described in the Master Plan. The restrictions on intensive uses and the retention of R-4/CER site and building design standards will ensure that the historic, residential character of Butler Street is preserved, while also expanding Saugatuck's hospitality offerings for residents and guests.

The site's location right on the edge of the downtown commercial/mixed use core makes the proposal particularly appropriate as a transitional land use between that core and the more residential blocks to the north.

QUESTION 2

Please explain how all of the uses allowed under the proposed Conditional Rezoning would be compatible with other zones and uses in the surrounding area.

The Conditional Rezoning protects the residential uses to the north and east by prohibiting intensive uses and only expanding the authorized uses on the site to those that can be operated accessory to the existing lodging facility.

Additionally, given the layout of the site, any noticeable increases in activity would likely take place on the Mary Street side of the facility, where the parking entrance is, and where adjacent land uses are more commercial and mixed use in nature.

QUESTION 3

Please explain how public services and facilities would not be significantly adversely impacted by development or use allowed under the requested Conditional Rezoning.

While the operations of Wickwood Inn would expand in nature, the expansion in scale would be minor, and would not increase substantially increase Wickwood's need for public services and facilities.

QUESTION 4

Please explain if the uses allowed under the proposed Conditional Rezoning would be equally or better suited to the area than uses allowed under the current zoning of the land.

Operating a lodging use under the regulations for Bed and Breakfast Establishments ensures that the facility remains quaint and harmonious with residential and historical surroundings, like the area around Wickwood. However, those regulations are also highly limiting on the operations of the facility, which can negatively impact the guest experience. Being able to offer full service dining and retail, as well as special events, would allow Wickwood to give its guests a broader and more customizable experience. This will enhance the economic viability not only of Wickwood itself, but of Downtown Saugatuck more broadly.

Additionally, the creation of a "buffer zone" between C-1/CC and R-4/CER would further protect the historic residential character of the blocks to the north. Wickwood already serves as a transition point between the core downtown and the residential area, and this Conditional Rezoning would allow it to do so for many years into the future.

We look forward to discussing this request with the Planning Commission at any upcoming meeting.

Respectfully Submitted,

McKenna



Christopher Khorey, AICP
Vice President

DRAFT Conditional Rezoning Agreement

Parcel: 510 Butler Street and 120 Mary Street (Parcels 57-300-055-00 and 57-300-053-50)

Property Owner: 510 Butler St LLC

Current Zoning: R-4/CER City Center Traditional Residential

Proposed Zoning: C-2/WSE Water Street East with Conditions

The City of Saugatuck and 510 Butler St LLC, Property Owner of the parcels at 510 Butler Street and 120 Mary Street agree to the following:

1) The Parcels at 510 Butler Street and 120 Mary Street shall be rezoned from R-4/CER City Center Traditional Residential to C-2 WSE Water Street East, with the following conditions:

    a) The permitted uses on the Parcel shall be the following:

        a. The permitted uses in the C-2/WSE District, as listed in Section 154.039.B of the Zoning Ordinance. No other uses shall be considered permitted by right on the subject properties.

    b) The uses permissible by Special Use Approval on the Parcel shall be the following:

        a. The uses permissible by Special Use Approval in the C-2/WES Water Street East district, as listed in Section 154.039.C, except for the following, which shall be prohibited on the parcels:

            i. Motion Picture Facilities

            ii. Amusement and Recreational Services.

                1. This provision shall not be deemed to prohibit in-room entertainment at a Bed and Breakfast, nor shall be it be deemed to prohibit games and activities for guests of a Bed and Breakfast located within common spaces, provided those games and activities do not generate noise or other impacts discernable on neighboring properties.

            iii. Recreational Transportation Rental Facilities.

            iv. Parking Facilities.

                1. This provision shall be understood to mean parking facilities as the principal use of land. Parking accessory to permitted and/or approved uses shall not be prohibited.

v. Domestic Business Repairs.

c) Outdoor dining shall be permitted on the subject parcels, accessory to any approved restaurant, provided that the standards of Section 154.092.O.1 are met. Expanded Outdoor Dining on public rights-of-way, as described in Section 154.092.O.2 shall not be permitted and shall not be considered an approvable Special Use for the subject parcels.

d) Special events may take place on the premises, consistent with any regulations on such events in the C-2/WSE District adopted by the City. However, the maximum number of total guests at any special event, or simultaneous special events, shall not exceed 125 people.

e) The parcels shall be considered to be zoned within the C-2/WSE Water Street East District for the purposes of Section 154.131, and shall be exempt from off-street parking requirements, except when the Planning Commission determines that off-street parking is necessary under Section 154.131.B.

f) The parcels shall be considered to be zoned within the C-2/WSE Water Street East District for the purposes of Section 154.049 regarding approval of the sale of alcoholic beverages.

g) For all aspects of the Zoning Ordinance not listed above, the standards of the C-2/WSE District shall apply to the Parcel. This shall include, but not be limited to:

a. Dimensional standards, such as setbacks and building heights.

b. Landscaping Requirements.

c. Lighting Requirements.

d. Signage Requirements.

2) In the event that <u>any</u> of the following occur, this agreement shall be void and the City shall have the right to rezone the Parcel to the R-4/CER zoning district, or any other district deemed appropriate by the City Council:

a) The Parcel is used for a use that is not permitted under this agreement.

b) The use on the Parcel is determined to be out of compliance with any standards of this agreement, conditions of any applicable Special Use Approvals, or any applicable standards in the Zoning Ordinance.

c) The Property Owner submits a statement, in writing, to the City Council, voluntarily voiding this agreement.

3) The City and Property Owner further agree to the following:

a) All existing zoning approvals, including Special Use Permits, applicable to the site shall remain in force, and shall not be considered altered by this agreement. However, this agreement does not constitute any new zoning permit or any approval for any specific use under the Zoning Ordinance not previously authorized on the parcels. The Property Owner must obtain all required approvals, including Site Plan Approvals, Variances (if any), and/or Special Parcel Use permits (if any), prior to constructing any improvements on the Parcel and/or beginning operations of any uses not previously approved by the City.

b) The conditional rezoning was proposed by the Applicant to induce the City to grant the rezoning, and that the City relied upon such proposal and would not have granted the rezoning but for the terms in the conditional rezoning agreement.

c) The conditions and conditional rezoning agreement are authorized by all applicable state and federal laws and constitutions, and that the conditional rezoning agreement is valid and was entered into on a voluntary basis, representing a permissible exercise of authority by the City.

d) As long as this agreement is in force, the Parcel in question shall not be developed or used in a manner that is inconsistent with this conditional rezoning agreement.

e) Until voided by an action described above, the approval and conditional rezoning agreement shall be binding on and inure to the benefit of the Property Owner and the City, and their respective heirs, successors, assigns, and transferees in perpetuity.

f) If the conditional zoning becomes void as described above, no development shall be undertaken or permits for development issued until a new zoning district classification of the Parcel has been established by resolution of the City Council.

g) Each of the requirements and conditions in the conditional rezoning agreement represents a necessary and reasonable measure which, when considered with all other conditions and requirements, is roughly proportional to the increased impact created by the use represented in the approved conditional rezoning, taking into consideration the changed zoning district classification and the specific use authorization granted.

Signed:

_____	_____
Representative	*Representative*
Title	*Title*
City of Saugatuck	510 Butler St LLC
Date:_____	Date:_____