



**Planning Commission Meeting  
October 21, 2021  
City Hall 102 Butler Street, Saugatuck, MI  
7:00 PM**

**This is an in-person meeting at City Hall.**

1. **Call to Order/Roll Call:**
2. **Approval of Agenda:**
3. **Approval of Minutes: September 16, 2021**
4. **Public Comment on Agenda Items:** Limit 3 minutes
5. **New Business:**
  - A: Public hearing – Create condominiums of existing tenant spaces at 133 Butler Street
  - B. Public hearing – Two story patio at 40 Butler Street
  - C. Election of Vice-Chair
6. **Old Business:**
7. **Communications:** None
8. **Reports of Officers and Committees: on-site signage for properties subject to Planning Commission review.**
9. **Public Comments:** Limit 3 minutes
10. **Adjournment**

**CITY OF SAUGATUCK  
ZOOM MEETING  
ACCESS:**

Web Access:

<https://us02web.zoom.us/j/2698572603>

Phone Access: (312) 626-6799 -  
or- (646) 518-9805 enter  
“Meeting ID”: 269 857 2603

**\*Public Hearing Procedure**

- A. Hearing is called to order by the Chair
- B. Summary by the Zoning Administrator
- C. Presentation by the Applicant
- D. Public comment regarding the application
  - 1) Participants shall identify themselves by name and address
  - 2) Comments/Questions shall be addressed to the Chair
  - 3) Comments/Questions shall be limited to five minutes
  1. Supporting comments (audience and letters)
  2. Opposing comments (audience and letters)
  3. General comments (audience and letters)
  4. Repeat comment opportunity (Supporting, Opposing, General)
- E. Public comment portion closed by the Chair
- F. Commission deliberation
- G. Commission action



## PLANNING COMMISSION MEETING MINUTES SAUGATUCK, MICHIGAN, SEPTEMBER 16, 2021

The Planning Commission met for a Regular Commission Meeting at 7:00 p.m at City Hall, 102 Butler St., Saugatuck, MI 49453.

**1. Call to Order:**

The meeting was called to order by Chairperson Fox at 7:00 p.m.

**3. Attendance:**

Present: Manns, VanMeter, Peterson, Crawford, Gardner & Fox

Absent: None

Others Present: Zoning Administrator Osman

**4. Approval of Agenda:**

A motion was made by Manns, 2<sup>nd</sup> by Peterson, to approve the agenda with a revision to include item 8A Report by Gardner on Planning Commission Site Notices. Upon roll call vote, the motion carried unanimously.

**5. Approval of Minutes:**

A motion was made by Peterson, 2<sup>nd</sup> by Manns, to approve the Planning Commission Meeting Minutes from August 19, 2021 with a revision of the Public Comment Section to change “zoning issues” to “zoning regulations”. Upon roll call vote, the motion carried unanimously.

**6. Public Comment:**

None

**7. New Business:**

**A. R-4 Transitional Zone District Front Yard Setbacks:**

Zoning Administrator Osman presented on front yard setback issues in the R-4 Transitional Zone District and proposed an ordinance amendment to Section 154.025 of the Code of the City of Saugatuck. The proposed amendment would reduce front yard setbacks in the R-4 City Center Transitional Residential Zone District when certain conditions are found to exist. Upon discussion, the Planning Commission wanted the term “block” in the proposed amendment to be revised to “on the same side of the street between the intersecting platted streets”.

A motion was made by Manns, 2<sup>nd</sup> by Peterson, to approve the zoning ordinance amendment to Section 154.025 with the language revision. Upon roll call vote, the motion carried unanimously.

**8. Communications:**

None

**9. Reports of Officers and Committees:**

A report was presented by Gardner on the posting of notices on site for properties subject to review by the Planning Commission.

**10. Public Comments:**

None

**11. Adjournment:** A motion was made by Manns, 2<sup>nd</sup> by Gardner, to adjourn at 8:04 p.m. Upon roll call, the motion carried unanimously.

Respectfully Submitted,

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Kate White  
Deputy Clerk/Intern



## MEMORANDUM

**TO:** Planning Commission  
City of Saugatuck

**FROM:** Cindy Osman, Planning and Zoning

**DATE:** October 21, 2021

**RE:** 133 BUTLER ST– Create condominium for existing building with three commercial retail units, two residential units, and five dedicated parking spaces.

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C & S PROPERTIES LLC has applied for the construction of create condominium for existing building with three commercial retail units, two residential units, and five dedicated parking spaces. 154.060 at 133 BUTLER ST. This property is located in the CC CITY CENT Zone District. The purpose of this memo is to provide a review of the standards for this site plan review, and how the ordinance relates to this application.

**Background:** The City of Saugatuck requires a public hearing and site plan review by the Planning Commission for all condominium subdivisions. (154.060)

**Project Description:** C & S PROPERTIES LLC has applied to create condominium for an existing building with three commercial retail units, two residential units, and five dedicated parking spaces. 154.060.

**Completeness of Submittal:** All requested materials have been submitted.

**Standards for Approval:** The standards of Section 154.064 will apply. These standards are as follows:

*(A) All elements of the site plan shall be harmoniously and efficiently organized in relation to topography, the size and type of lot, the character of adjoining property and the type and size of the buildings. The site will be so developed as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this chapter.*

**Comment:** There will be no change to the existing building or infrastructure. Therefore, the Planning Commission may find that this standard is met.

*(B) The landscape shall be preserved in its natural state, insofar as practical, by removing only those areas of vegetation or making those alterations to the topography which are reasonably necessary to develop the site in accordance with the requirements of this chapter.*

**Comment:** There will be no change to the existing building or infrastructure. Therefore, planning commission may find that this standard is met.

*(C) The site plan shall provide reasonable visual and sound privacy for all dwelling units located therein. Fences, walks, barriers and landscaping shall be used, as appropriate, to accomplish these purposes.*

**Comment:** There will be no change to the existing building or infrastructure. Therefore, planning commission may find that this standard is met.

*(D) All buildings or groups of buildings shall be arranged so as to permit necessary emergency vehicle access as required by the Fire Department.*

**Comment:** There will be no change to the existing building or infrastructure. Therefore, the Planning Commission may find that this standard is met.

*(E) There shall be provided a pedestrian circulation system which is separated from the vehicular circulation system. In order to ensure public safety, special pedestrian measures, such as crosswalks, crossing signals and other such facilities may be required in the vicinity of schools, playgrounds, local shopping areas and other uses which generate a considerable amount of pedestrian traffic. All federal, state and local barrier free requirements shall be met.*

**Comment:** There will be no change to the existing building or infrastructure. Therefore, planning commission may find that this standard is met.

*(F) The arrangement of public or common ways for vehicular and pedestrian circulation shall be connected to existing or planned streets and pedestrian or bicycle pathways in the area. Streets and drives which are part of an existing or planned street pattern serving adjacent development shall be of a width appropriate to the traffic volume they will carry and shall have a dedicated right-of-way equal to that specified in the city's land use plan.*

**Comment:** There will be no change to the existing building or infrastructure. Therefore, planning commission may find that this standard is met.

*(G) All streets shall be developed in accordance with city specifications, unless developed as a private road.*

**Comment:** There will be no change to the existing building or infrastructure. Therefore, planning commission may find that this standard is met.

*(H) Appropriate measures shall be taken to ensure that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. Provisions shall be made to accommodate storm water, prevent erosion and the formation of dust. The use of detention/retention ponds may be required. Surface water on all paved areas shall be collected at intervals so that it will not obstruct the flow of vehicular or pedestrian traffic, create puddles in paved areas or create erosion problems.*

**Comment:** There will be no change to the existing building or infrastructure. Therefore, the Planning Commission may find that this standard is met.

*(I) All loading and unloading areas and outside storage areas, including areas for the storage of trash, which face or are visible from residential districts or public thoroughfares, shall be screened by an opaque wall or landscaped screen not less than six feet in height. (See §§ [154.142](#) through [154.144](#)).*

**Comment:** There will be no change to the existing building or infrastructure. Therefore, planning commission may find that this standard is met.

*(J) Exterior lighting shall be arranged so that it is deflected away from adjacent properties and so that it does not impede the vision of traffic along adjacent streets. Flashing or intermittent lights shall not be permitted.*

**Comment:** There will be no change to the existing building or infrastructure. Therefore, Planning Commission may find that this standard is met.

*(K) In approving the site plan, the Planning Commission may recommend that a bond or other financial guarantee of ample sum be furnished by the developer to ensure compliance for such requirements as drives, walks, utilities, parking, landscaping and the like (see § [154.173](#)).*

**Comment:** There will be no change to the existing building or infrastructure. Therefore, staff does not recommend a bond requirement for this project.

**Recommendation:** Staff can recommend approval create condominium for existing building with three commercial retail units, two residential units, and five dedicated parking spaces. If the Planning Commission finds that the standards are met, the following motion may be used:

*I hereby move to (approve/deny) the application to create condominium units the shown on the attached application. The above comments as discussed are to be incorporated into the record and are adopted as part of our findings of fact.*




## Site Plan Review Application

### LOCATION INFORMATION APPLICATION NUMBER \_\_\_\_\_ - \_\_\_\_\_

Address 133 Butler Street, Saugatuck MI Parcel Number 57-300-174-00

### APPLICANTS INFORMATION 6109

Name Simon Nissim (C&S Properties) Address / PO Box 1608 St. Andrews Lane  
City Saugatuck State MI Zip 49453 Phone 616-283-5884  
Interest In Project Owner E-Mail simonnissim@aol.com  
Signature  Date Sept. 16 2021

### OWNERS INFORMATION (IF DIFFERENT FROM APPLICANTS)

Name \_\_\_\_\_ Address / PO Box \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_ Phone \_\_\_\_\_

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 \_\_\_\_\_

### CONTRACTORS/ DEVELOPERS INFORMATION (UNLESS PROPOSED WORK IS TO BE DONE BY THE PROPERTY OWNER)

Name N/A Contact Name \_\_\_\_\_  
Address / PO Box \_\_\_\_\_ City \_\_\_\_\_  
State \_\_\_\_\_ Zip \_\_\_\_\_ Phone \_\_\_\_\_ Fax \_\_\_\_\_  
License Number \_\_\_\_\_ Expiration Date \_\_\_\_\_

### PROPERTY INFORMATION

Depth 132' Width 42' Size 5,532 SQ FT Zoning District CC-C1 Current Use Retail/Residential

Check all that apply:

Waterfront \_\_\_\_\_ Historic District  Dunes \_\_\_\_\_ Vacant \_\_\_\_\_

### PROJECT DESCRIPTION (ATTACH MORE SHEETS IF NECESSARY)

- This is an application to convert the existing building located at 133 Butler Street, Saugatuck into condominiums as follows:
- 3 commercial retail units (existing)
  - 2 residential units (existing)
  - 5 dedicated parking spaces (existing)

There is no proposed construction or exterior/interior alteration to the existing building.



# Site Plan Review Application

Application # \_\_\_\_\_

## SITE PLAN REQUIREMENTS (SECTION 154.061)

A) Applications for preliminary site plan approval shall consist of the following information unless waived by the Zoning Administrator.

Y    N    NA

- Property dimensions
- Significant vegetation
- Water courses and water bodies, including human-made surface drainage ways
- Existing public right-of-way, pavements and/or private easements
- Existing and proposed uses, buildings, structures and parking areas
- Zoning classification of abutting properties
- The name, address and telephone number of the person and firm who prepared the site plan, and the date on which it was prepared
- A north arrow

B) Applications for final site plan approval shall consist of the following information unless waived by the Zoning Administrator. Twelve reproducible copies of a final site plan, at a scale of not less than one inch equals ten feet, shall include:

Y    N    NA

- Dimensions of property of the total site area,
- Contours at 2-foot intervals
- Locations of all buildings
- Other structures on adjacent properties within 100 feet of the property, including those located across the street from the property
- Parking areas
- Driveways
- Required and proposed building setbacks
- Location of abutting streets and proposed alignment of streets, drives and easements serving the development, including existing rights-of-way and pavement widths;
- Location, screening, dimensions and heights of proposed buildings and structures, such as trash receptacles, utility pads and the like, including accessory buildings and uses, and the intended uses thereof. Rooftop or outdoor appurtenances should also be indicated, including proposed methods of screening the equipment, where appropriate;
- Location and dimensions of parking areas, including computations of parking requirements, typical parking space dimensions, including handicapped spaces, and aisle widths;
- Proposed water supply and wastewater systems locations and sizes;
- Proposed finished grades and site drainage patterns, including necessary drainage structure. Where applicable, indicate the location and elevation of the 100-year floodplain;
- Proposed common open spaces and recreational facilities, if applicable;
- Proposed landscaping, including quantity, size at planting and botanical and common names of plant materials;
- Signs, including type, locations and sizes;





# Site Plan Review Application

Application # \_\_\_\_\_

- Location and dimensions of all access drives, including driveway dimensions, pavement markings, traffic-control signs or devices, and service drives;
- Exterior lighting showing area of illumination and indicating the type of fixture to be used.
- Elevations of proposed buildings drawn to an appropriate scale shall include:
  1. Front, side and rear views;
  2. Heights at street level, basement floor level, top of main floor, top of building, and if applicable, height above water level; and
  3. Exterior materials and colors to be used.
- Location, if any, of any views from public places to public places across the property;
- Location, height and type of fencing; and
- The name and address of the person and firm who drafted the plan, the seal of the professional responsible for the accuracy of the plan (licensed in the state) and the date on which the plan was prepared.

## STANDARDS FOR APPROVAL (SECTION 154.062)

Please respond to each of the following questions by explaining how the proposed development will meet the standards for site plan approval:

\*note: not all questions will apply for all requests.

(1) How will the elements of the site plan shall be harmoniously and efficiently organized in relation to topography, the size and type of lot, the character of adjoining property and the type and size of the buildings? Will the site will be so developed as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this chapter? \_\_\_\_\_

No proposed changes to existing building \_\_\_\_\_

(2) How will the landscape be preserved in its natural state, insofar as practical, by removing only those areas of vegetation or making those alterations to the topography which are reasonably necessary to develop the site in accordance with the requirements of this chapter? \_\_\_\_\_

No proposed changes to existing building \_\_\_\_\_

(3) How will the site plan provide reasonable visual and sound privacy for all dwelling units located therein? How will fences, walks, barriers and landscaping shall be used, as appropriate, be used to accomplish these purposes? \_\_\_\_\_

No proposed changes to existing building \_\_\_\_\_

(4) How will all buildings or groups of buildings be arranged so as to permit necessary emergency vehicle access as required by the Fire Department? \_\_\_\_\_

No proposed changes to existing building \_\_\_\_\_

(5) How will there be provided a pedestrian circulation system which is separated from the vehicular circulation system. In order to ensure public safety, special pedestrian measures, such as crosswalks, crossing signals and other such facilities may be required in the vicinity of schools, playgrounds, local shopping areas and other uses which generate a considerable amount of pedestrian traffic? (All federal, state and local barrier free requirements shall be met.) \_\_\_\_\_

No proposed changes to existing building \_\_\_\_\_



# Site Plan Review Application

Application # \_\_\_\_\_

(6) How will the arrangement of public or common ways for vehicular and pedestrian circulation be connected to existing or planned streets and pedestrian or bicycle pathways in the area? Will streets and drives which are part of an existing or planned street pattern serving adjacent development be of a width appropriate to the traffic volume they will carry and shall have a dedicated right-of-way equal to that specified in the City's land use plan?

\_\_\_\_\_  
No proposed changes to existing building

(7) How will all streets be developed in accordance with city specifications, unless developed as a private road?

\_\_\_\_\_  
No proposed changes to existing building

(8) How will appropriate measures be taken to ensure that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system? Will provisions be made to accommodate storm water, prevent erosion and the formation of dust? The use of detention/retention ponds may be required. Surface water on all paved areas shall be collected at intervals so that it will not obstruct the flow of vehicular or pedestrian traffic, create puddles in paved areas or create erosion problems.

\_\_\_\_\_  
No proposed changes to existing building

(9) How will all loading and unloading areas and outside storage areas, including areas for the storage of trash, which face or are visible from residential districts or public thoroughfares, shall be screened by an opaque wall or landscaped screen not less than six feet in height? (See §§ 154.142 through 154.144).

\_\_\_\_\_  
No proposed changes to existing building

(10) How will exterior lighting be arranged so that it is deflected away from adjacent properties and so that it does not impede the vision of traffic along adjacent streets? Flashing or intermittent lights shall not be permitted.

\_\_\_\_\_  
No proposed changes to existing building

**OFFICE USE ONLY:**

Application Complete \_\_\_\_\_ Paid \_\_\_\_\_ Date Paid \_\_\_\_\_

Notice Sent \_\_\_\_\_ Resident Notification \_\_\_\_\_ Hearing Date \_\_\_\_\_

Notes: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

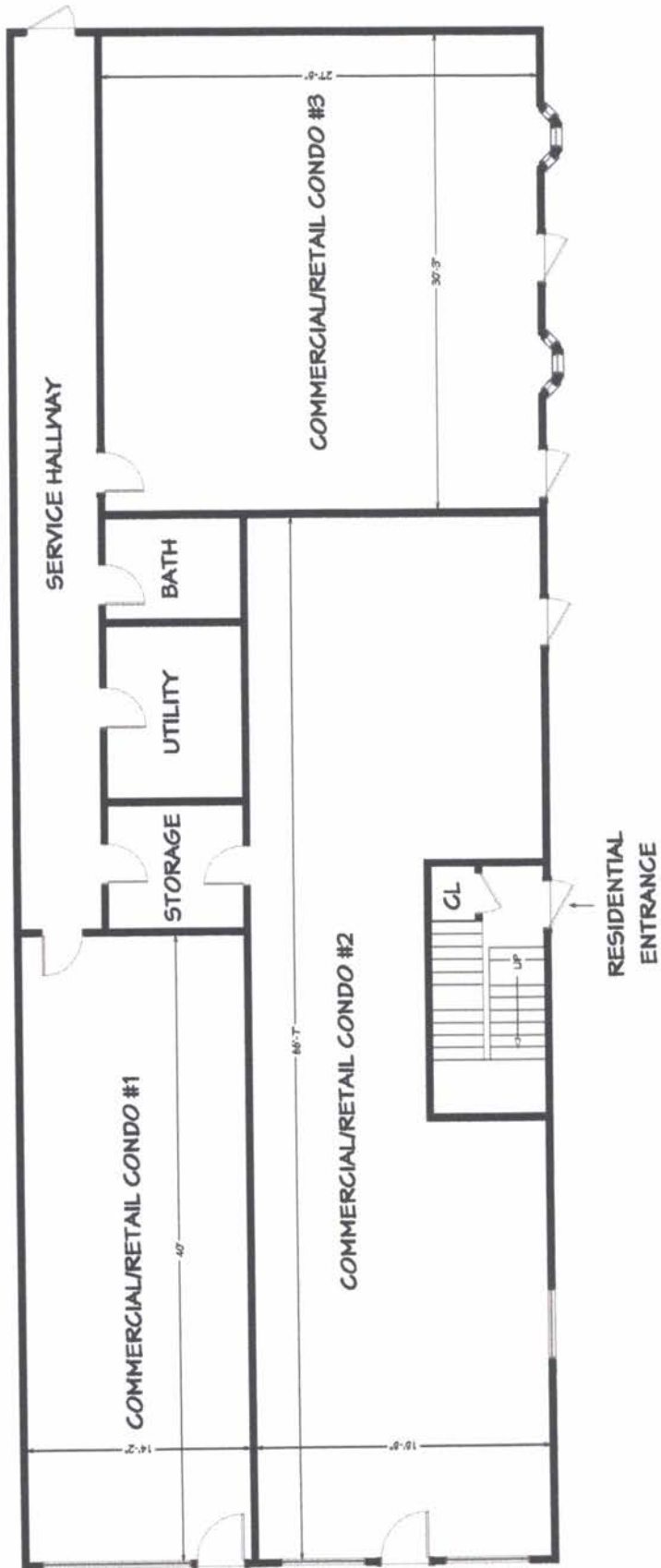
\_\_\_\_\_

\_\_\_\_\_

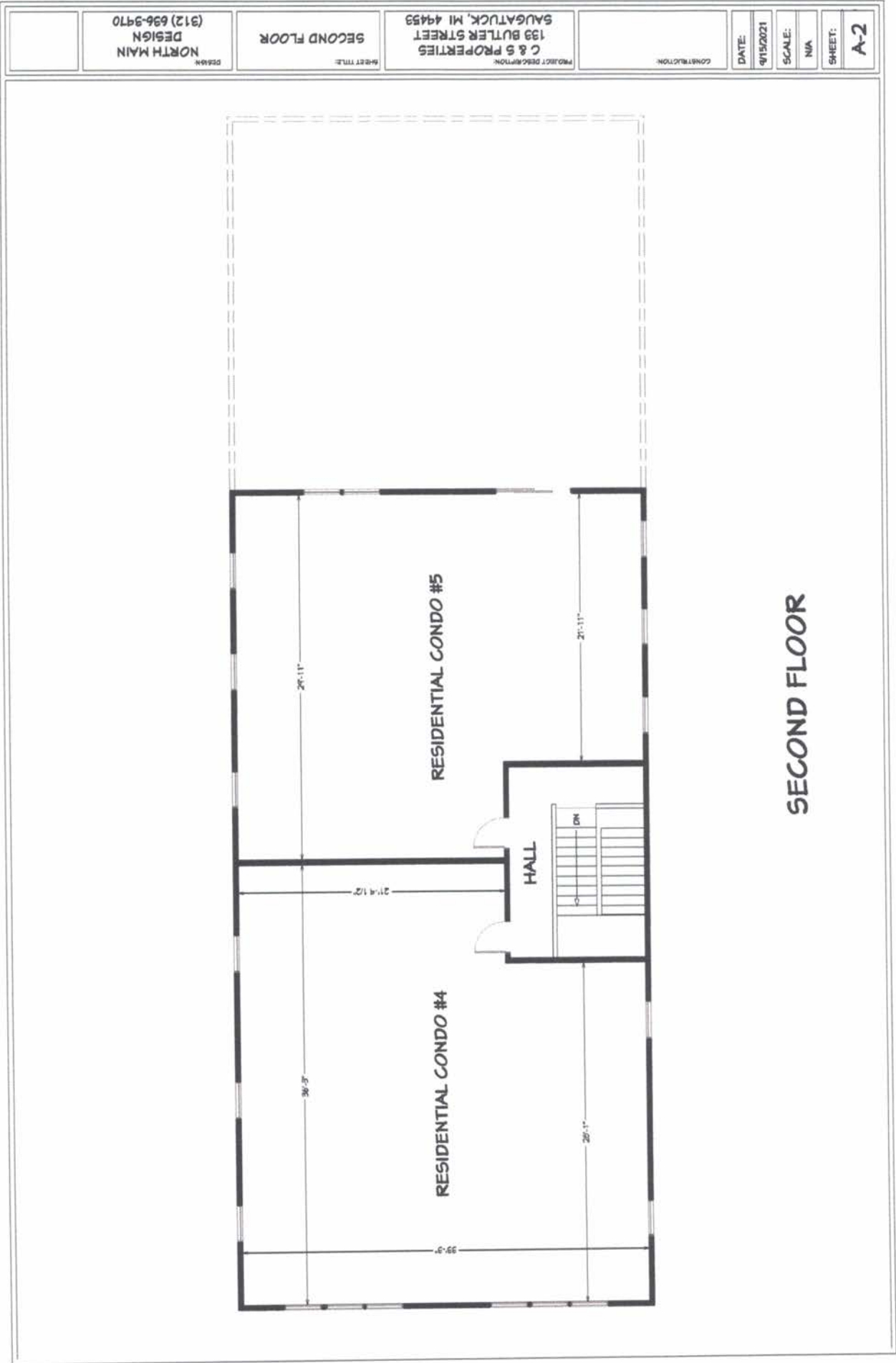
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\_\_\_\_\_

DESIGN: NORTH MAIN DESIGN (312) 636-3970	SHEET TITLE: FIRST FLOOR	PROJECT DESCRIPTION: C & S PROPERTIES 133 BUTLER STREET SAUGATUCK, MI 49453	CONSTRUCTION:	DATE:	SCALE:	SHEET:
				4/15/2021	N/A	A-1

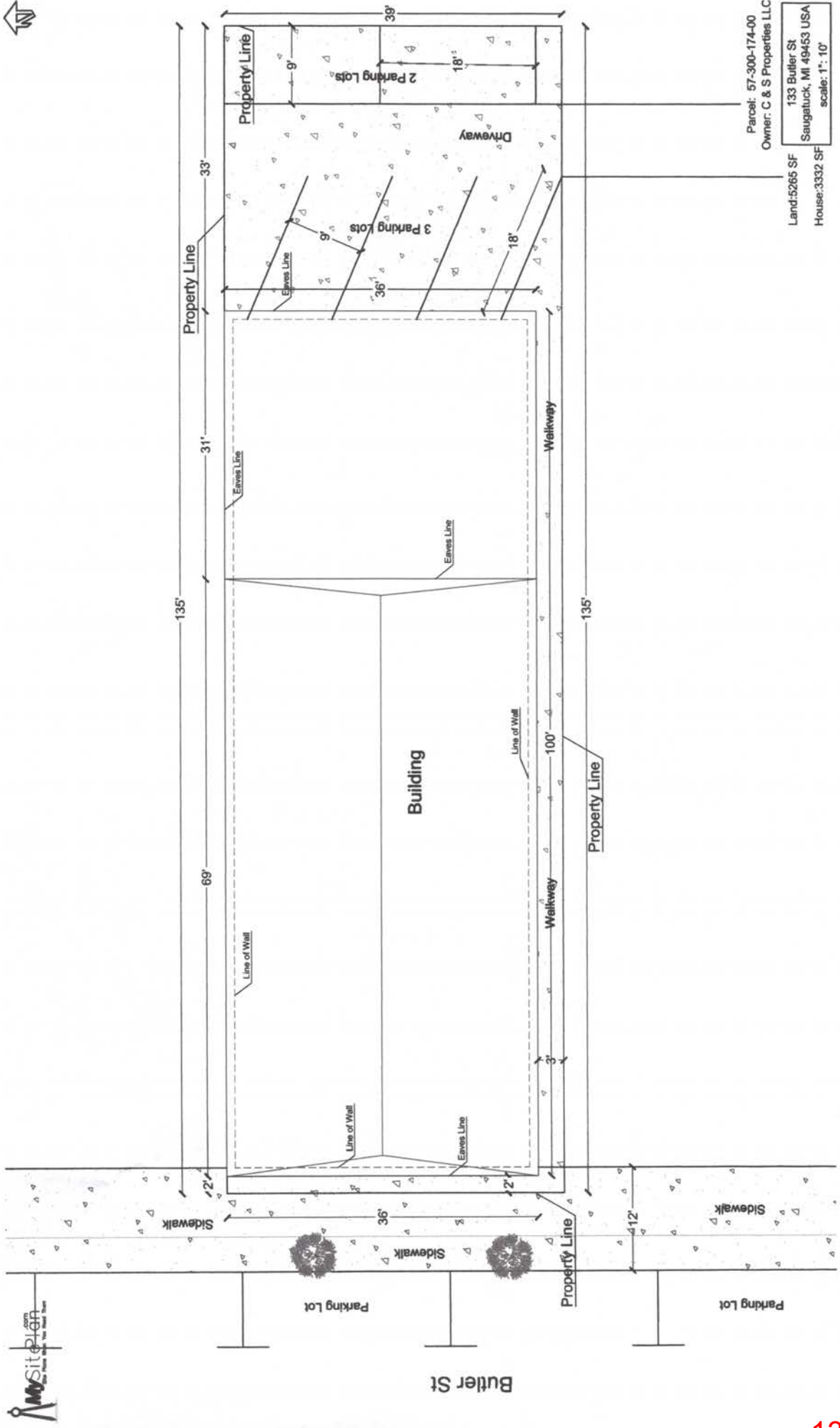


FIRST FLOOR



**SECOND FLOOR**

<p>DESIGN NORTH MAIN DESIGN (312) 696-9470</p>	<p>SHEET TITLE <b>SECOND FLOOR</b></p>	<p>PROJECT DESCRIPTION C &amp; S PROPERTIES 139 BUTLER STREET SAUGATUCK, MI 44593</p>	<p>CONSTRUCTION</p>	<p>DATE: 9/15/2021</p>	<p>SCALE: N/A</p>	<p>SHEET: A-2</p>
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Parcel: 57-300-174-00  
 Owner: C & S Properties LLC  
 Land: 5265 SF  
 House: 3332 SF  
 133 Butler St  
 Saugatuck, MI 49453 USA  
 scale: 1" = 10'



Butler St



September 22, 2021

Ms. Cindy Osman  
Planning and Zoning  
City of Saugatuck  
102 Butler Street  
Saugatuck, MI 49453

Re: The Butler – 40 Butler Street  
Site Plan & Special Use Application

Dear Ms. Osman:

Enclosed are the applications for Site Plan and Special Use at 40 Butler Street. The supplemental items will be sent to you by October 13.

Also enclosed is a check for \$300 to cover the application fees.

These items are being submitted for the October 21, 2021 regular Planning Commission meeting. Please feel free to contact me at (616) 575-5190 or [jbarr@nederveld.com](mailto:jbarr@nederveld.com) if you have any questions or concerns.

Sincerely,

A handwritten signature in blue ink, appearing to read "R. Jack Barr".

Jack Barr, PE  
Project Manager



## Site Plan Review Application

### LOCATION INFORMATION APPLICATION NUMBER \_\_\_\_\_ - \_\_\_\_\_

Address 40 Butler Street

Parcel Number 03-57-300-214-00

### APPLICANTS INFORMATION

Name Steve Plakmeyer Address / PO Box 5500 Cascade Road SE

City Grand Rapids State MI Zip 49546 Phone 616-698-1100

Interest In Project \_\_\_\_\_ E-Mail splakmeyer@watermarkcc.com

Signature  Date 9/20/2021

### OWNERS INFORMATION (IF DIFFERENT FROM APPLICANTS)

Name Butler Enterprises Inc. Address / PO Box 40 Butler Street / PO Box 215

City Saugatuck State MI Zip 49453 Phone 269-857-3501

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 9/20/21

### CONTRACTORS/ DEVELOPERS INFORMATION (UNLESS PROPOSED WORK IS TO BE DONE BY THE PROPERTY OWNER)

Name TBD Contact Name \_\_\_\_\_

Address / PO Box \_\_\_\_\_ City \_\_\_\_\_

State \_\_\_\_\_ Zip \_\_\_\_\_ Phone \_\_\_\_\_ Fax \_\_\_\_\_

License Number \_\_\_\_\_ Expiration Date \_\_\_\_\_

### PROPERTY INFORMATION

Depth 100.0' Width 220.0' Size 0.45 Acres Zoning District WSS Current Use Restaurant

Check all that apply:

Waterfront  Historic District  Dunes \_\_\_\_\_ Vacant \_\_\_\_\_

### PROJECT DESCRIPTION (ATTACH MORE SHEETS IF NECESSARY)

Outdoor seating area with two level patio structure  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



**SITE PLAN REQUIREMENTS (SECTION 154.061)**

Applications for final site plan approval shall consist of the following information unless waived by the Zoning Administrator. Twelve reproducible copies of a final site plan at 24" by 36" or larger, at a scale of not less than one inch equals ten feet, and one PDF electronic copy shall include:

Y N NA

- Dimensions of property of the total site area;
- A north arrow;
- Zoning classification of abutting properties;
- Required and proposed building setbacks;
- Structures on the subject property and structures adjacent properties within 100 feet of the property, including those located across the street from the property;
- Water courses and water bodies, including human-made surface drainage ways;
- Existing public right-of-way, pavements and/or private easements;
- Existing and proposed driveways, parking areas, curb cuts;
- Contours at 2-foot intervals;
- Proposed finished grades and site drainage patterns, including necessary drainage structure. Where applicable, indicate the location and elevation of the 100-year floodplain;
- Significant vegetation and proposed landscape plan;
- Location of abutting streets and proposed alignment of streets, drives and easements serving the development, including existing rights-of-way and pavement widths;
- Location, screening, dimensions and heights of proposed buildings and structures, such as trash receptacles, utility pads and the like, including accessory buildings and uses, and the intended uses thereof. Rooftop or outdoor appurtenances should also be indicated, including proposed methods of screening the equipment, where appropriate;
- Location and dimensions of parking areas, including computations of parking requirements, typical parking space dimensions, including handicapped spaces, and aisle widths;
- Proposed water supply and wastewater systems locations and sizes;
- Proposed fire suppression system, including details of fixtures, supply lines, hydrant locations, and/or other required features;
- Proposed floor plan with applicable features including but not limited to the location of furniture, utility rooms, restrooms, kitchens, storage area, and display areas;
- Proposed common open spaces and recreational facilities, if applicable;
- Proposed landscaping, including quantity, size at planting and botanical and common names of plant materials;
- Signs, including type, locations and sizes;
- Location and dimensions of all access drives, including driveway dimensions, pavement markings, traffic-control signs or devices, and service drives;
- Exterior lighting showing area of illumination and indicating the type of fixture to be used.
- Elevations of proposed buildings drawn to an appropriate scale shall include:
  1. Front, side and rear views;





- 2. Heights at street level, basement floor level, top of main floor, top of building, and if applicable, height above water level; and
- 3. Exterior materials and colors to be used.
- Location, if any, of any views from public places to public places across the property;
- Location, height and type of fencing; and
- The name and address of the person and firm who drafted the plan, the seal of the professional responsible for the accuracy of the plan (licensed in the state) and the date on which the plan was prepared.

**STANDARDS FOR APPROVAL (SECTION 154.062)**

Please respond to each of the following questions by explaining how the proposed development will meet the standards for site plan approval:

\*note: not all questions will apply for all requests.

(1) How will the elements of the site plan shall be harmoniously and efficiently organized in relation to topography, the size and type of lot, the character of adjoining property and the type and size of the buildings? Will the site will be so developed as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this chapter? \_\_\_\_\_

The proposed outdoor seating structure will be complimentary to the existing restaurant use.

(2) How will the landscape be preserved in its natural state, insofar as practical, by removing only those areas of vegetation or making those alterations to the topography which are reasonably necessary to develop the site in accordance with the requirements of this chapter? \_\_\_\_\_

There is no landscaping or topographic features in the area where the proposed structure is to be located.

(3) How will the site plan provide reasonable visual and sound privacy for all dwelling units located therein? How will fences, walks, barriers and landscaping shall be used, as appropriate, be used to accomplish these purposes? \_\_\_\_\_

There are no residential units in the proximity to the proposed outdoor seating structure.

(4) How will all buildings or groups of buildings be arranged so as to permit necessary emergency vehicle access as required by the Fire Department? \_\_\_\_\_

Adequate lawn area north of the existing building provides access to the structure for emergency vehicles.

(5) How will there be provided a pedestrian circulation system which is separated from the vehicular circulation system. In order to ensure public safety, special pedestrian measures, such as crosswalks, crossing signals and other such facilities may be required in the vicinity of schools, playgrounds, local shopping areas and other uses which generate a considerable amount of pedestrian traffic? (All federal, state and local barrier free requirements shall be met.) \_\_\_\_\_

Concrete sidewalk will connect the existing restaurant building to this new structure.



# Site Plan Review Application

Application # \_\_\_\_ - \_\_\_\_

(6) How will the arrangement of public or common ways for vehicular and pedestrian circulation be connected to existing or planned streets and pedestrian or bicycle pathways in the area? Will streets and drives which are part of an existing or planned street pattern serving adjacent development be of a width appropriate to the traffic volume they will carry and shall have a dedicated right-of-way equal to that specified in the City's land use plan?

Not applicable. No new drives or streets are proposed for this project.

(7) How will all streets be developed in accordance with city specifications, unless developed as a private road?

Not applicable. No new drives or streets are proposed for this project.

(8) How will appropriate measures be taken to ensure that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system? Will provisions be made to accommodate storm water, prevent erosion and the formation of dust? The use of detention/retention ponds may be required. Surface water on all paved areas shall be collected at intervals so that it will not obstruct the flow of vehicular or pedestrian traffic, create puddles in paved areas or create erosion problems.

Storm water from the new building roof will be collected and conveyed to the river. No site storm water will flow onto neighboring properties.

(9) How will all loading and unloading areas and outside storage areas, including areas for the storage of trash, which face or are visible from residential districts or public thoroughfares, shall be screened by an opaque wall or landscaped screen not less than six feet in height? (See §§ [154.142](#) through [154.144](#)).

Not applicable. No new loading/unloading areas, storage or trash enclosures are proposed for this project.

(10) How will exterior lighting be arranged so that it is deflected away from adjacent properties and so that it does not impede the vision of traffic along adjacent streets? Flashing or intermittent lights shall not be permitted.

Minimal string lights will be provided for the seating areas as shown on the architectural renderings.

**OFFICE USE ONLY:**  
 Application Complete \_\_\_\_\_ Paid \_\_\_\_\_ Date Paid \_\_\_\_\_  
 Notice Sent \_\_\_\_\_ Resident Notification \_\_\_\_\_ Hearing Date \_\_\_\_\_  
 Notes: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_



## Special Land Use Application

### LOCATION INFORMATION APPLICATION NUMBER \_\_\_\_\_ - \_\_\_\_\_

Address 40 Butler Street

Parcel Number 03-57-300-214-00

### APPLICANTS INFORMATION

Name Steve Plakmeyer Address / PO Box 5500 Cascade Road, SE

City Grand Rapids State MI Zip 49456 Phone 616-698-1100

Interest In Project \_\_\_\_\_ E-Mail splakmeyer@watermarkcc.com

Signature  Date 9/20/2021

### OWNERS INFORMATION (IF DIFFERENT FROM APPLICANTS)

Name Butler Enterprises Inc. Address / PO Box 40 Butler Street / PO Box 215

City Saugatuck State MI Zip 49453 Phone 269-857-3501

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 9/20/2021

### CONTRACTORS/ DEVELOPERS INFORMATION (UNLESS PROPOSED WORK IS TO BE DONE BY THE PROPERTY OWNER)

Name TBD Contact Name \_\_\_\_\_

Address / PO Box \_\_\_\_\_ City \_\_\_\_\_

State \_\_\_\_\_ Zip \_\_\_\_\_ Phone \_\_\_\_\_ Fax \_\_\_\_\_

License Number \_\_\_\_\_ Expiration Date \_\_\_\_\_

### PROPERTY INFORMATION

Depth 100.0' Width 220.0' Size 0.45 Acres Zoning District WSS Current Use Restaurant

Check all that apply:

Waterfront  Historic District  Dunes \_\_\_\_\_ Vacant \_\_\_\_\_

### PROJECT DESCRIPTION (ATTACH MORE SHEETS IF NECESSARY)

Outdoor seating area  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



**SITE PLAN REQUIREMENTS (SECTION 154.061)**

B) Applications for final site plan approval shall consist of the following information unless waived by the Zoning Administrator. Twelve reproducible copies of a final site plan, 24" by 36" or larger, at a scale of not less than one inch equals ten feet, and a PDF of the plan set shall include:

Y N NA

- The name and address of the person and firm who drafted the plan, the seal of the professional responsible for the accuracy of the plan (licensed in the state) and the date on which the plan was prepared;
- Dimensions of property of the total site area;
- A north arrow;
- Contours at 2-foot intervals;
- Zoning classification of the subject property and abutting properties;
- Required and proposed building setbacks;
- Location of structure on the subject property and structures on adjacent properties within 100 feet of the property, including those located across the street from the property;
- Existing and proposed driveways, parking areas, walk ways, curb cuts, and other hardscape features;
- Existing water courses, water bodies, including human-made surface drainage ways, floodplain, and wetlands;
- Location of abutting streets and proposed alignment of streets, drives and easements serving the development, including existing rights-of-way and pavement widths;
- Location, screening, dimensions and heights of proposed buildings and structures, such as trash receptacles, utility pads and the like, including accessory buildings and uses, and the intended uses thereof. Rooftop or outdoor appurtenances should also be indicated, including proposed methods of screening the equipment, where appropriate;
- Location and dimensions of parking areas, including computations of parking requirements, typical parking space dimensions, including handicapped spaces, and aisle widths;
- Proposed water supply and wastewater systems locations and sizes;
- Proposed fire suppression system, including details of fixtures, supply lines, hydrant locations, and/or other required features;
- Proposed floor plan with applicable features including but not limited to the location of furniture, utility rooms, restrooms, kitchens, storage area, and display areas;
- Proposed finished grades and site drainage patterns, including necessary drainage structure. Where applicable, indicate the location and elevation of the 100-year floodplain;
- Proposed common open spaces and recreational facilities, if applicable;
- Existing significant vegetation;
- Proposed landscaping, including quantity, size at planting and botanical and common names of plant materials;
- Signs, including type, locations and sizes;
- Location and dimensions of all access drives, including driveway dimensions, pavement markings, traffic-control signs or devices, and service drives;



- Exterior lighting showing area of illumination and indicating the type of fixture to be used;
- Elevations of proposed buildings drawn to an appropriate scale shall include:
  1. Front, side and rear views;
  2. Heights at street level, basement floor level, top of main floor, top of building, and if applicable, height above water level; and
  3. Exterior materials and colors to be used;
- Location, if any, of any views from public places to public places across the property; and
- Location, height and type of fencing;

**STANDARDS FOR APPROVAL (SECTION 154.082)**

Please respond to how the request will meet each of the following standards for special land use:

(1) How will the location, size, height and intensity of the principal and/or accessory operations, compatible with the size, type and kind of buildings, uses and structures in the vicinity and on adjacent property?

The proposed outdoor seating structure will be complimentary to the existing restaurant use.

(2) How will the proposed request consistent with, and will promote the intent and purpose of this chapter?

It will provide additional seating capacity for the existing use which is consistent with the zone district.

(3) How will the proposed request compatible with the natural environment and will it conserve natural resources and energy?

There are no environmental features in the area where the proposed structure is planned.

(4) How will the proposed request consistent with existing and future capabilities of public services and facilities?

The proposed structure will have minimal impact on public services.

(5) How will the proposed request protect the public health, safety and welfare as well as the social and economic well-being of those who will use the land use or activity, residents, businesses and landowners immediately adjacent and the city as a whole?

The expansion of the restaurant use with this outdoor seating structure will provide a more contained area for seating.

(6) How will the proposed request create any hazards arising from storage and use of inflammable fluids?

Not applicable. No hazards are proposed with this use.



(7) How will the proposed request will be in conflict with convenient, safe and normal vehicular and pedestrian traffic routes, flows, intersections and general character and intensity of development? In particular:

(a) Will the property be easily accessible to fire and police?

Yes, adequate lawn area is provided along the north side of the existing building for emergency services.

(b) Will measure be taken as to not create or add to any hazardous traffic condition?

No added traffic is expected with the project.

(8) How will the proposed request be of such a design and impact that the location and height of buildings, the location, nature and height of walls, fences and the nature and extent of landscaping on the site not hinder or discourage the appropriate development and use of adjacent land and buildings or impair the value thereof?

The proposed seating structure is two stories, approximately 30 feet in total height, similar to a single family home.

(9) How will the nature, location, size and site layout of proposed request be a harmonious part of the district in which it is situated taking into account, among other things, prevailing shopping habits, convenience of access by prospective patrons, the physical and economic relationship of one type of use to another and characteristic groupings of uses of the district?

The proposed outdoor seating structure will be complimentary to the existing restaurant use of the property.

(10) How will the location, size, intensity and site layout be such that operations will not be objectionable to nearby dwellings, by reason of noise, fumes, pollution, vibration, litter, refuse, glare or flash of lights to an extent which is greater than would be operations of any use permitted by right for that district within which the special land use is proposed to be located?

No residential dwellings are located adjacent to the property.

**OFFICE USE ONLY:**

Application Complete \_\_\_\_\_ Date \_\_\_\_\_ Fee Paid \_\_\_\_\_ Date Paid \_\_\_\_\_

Notice Sent \_\_\_\_\_ Resident Notification \_\_\_\_\_ Hearing Date \_\_\_\_\_

Notes: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

63033

**Redwater Collection**

5500 CASCADE RD SE  
GRAND RAPIDS, MI 49546  
(616) 285-9898 FAX (616) 929-1699

TCF NATIONAL BANK MINNESOTA  
Cottage Grove, MN 55016-4007

17-7000/2910

Sep 17, 2021

PAY TO THE  
ORDER OF

The City of Saugatuck

\$ \*300.00\*

Three Hundred Dollars and Zero Cents

DOLLARS

The City of Saugatuck  
102 Butler St.  
PO Box 86  
Saugatuck, MI 49453



AUTHORIZED SIGNATURE

MEMO

⑈063033⑈ ⑆291070001⑆ 5410159631⑈

**Redwater Collection**

63033

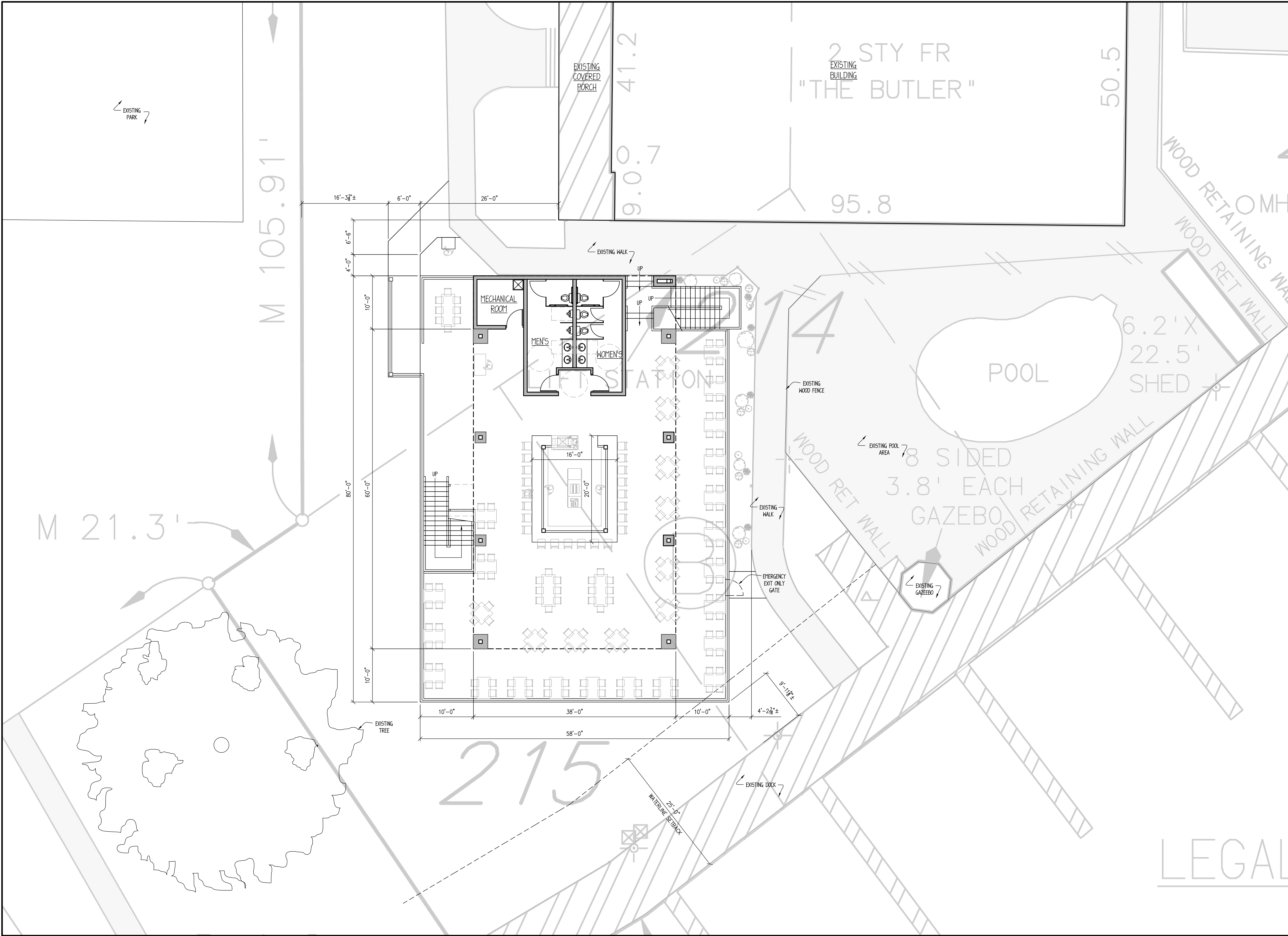
Vendor Company Name		Vendor Number	Check Date	Check No.	
The City of Saugatuck		WM-THECISAU	Sep 17, 2021	63033	
Invoice Number	Invoice Date	Invoice Amount	Total Paid	Discount/Adj	Payment Amount
BT21 SLU	Sep 17, 2021	\$150.00	\$150.00		\$150.00
BT21 SPR	Sep 17, 2021	\$150.00	\$150.00		\$150.00
				<b>This Page Total</b>	\$300.00
				<b>Check Total</b>	\$300.00











PRELIMINARY  
NOT FOR CONSTRUCTION

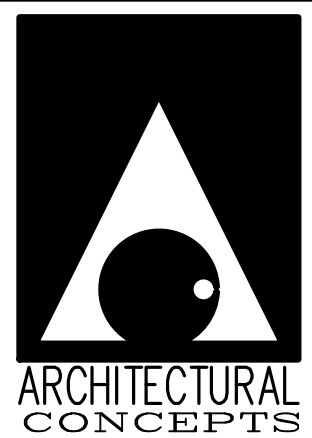
THIS DRAWING AND ALL INFORMATION CONTAINED HEREIN ARE THE SOLE, CONFIDENTIAL AND EXCLUSIVE PROPERTY OF ARCHITECTURAL CONCEPTS. PUBLICATION OF THIS DRAWING IS LIMITED SOLELY TO THE SPECIFIC PROJECT AND/OR SITE NOTED HEREIN. REPRODUCTION, PUBLICATION, REUSE OR MODIFICATION OF THIS DOCUMENT IN WHOLE OR IN PART IS EXPRESSLY PROHIBITED WITHOUT PRIOR WRITTEN CONSENT OF ARCHITECTURAL CONCEPTS.

DATE	REVISION
09-23-2021	FOR SITE PLAN APPROVAL

PROPOSED PATIO FOR:



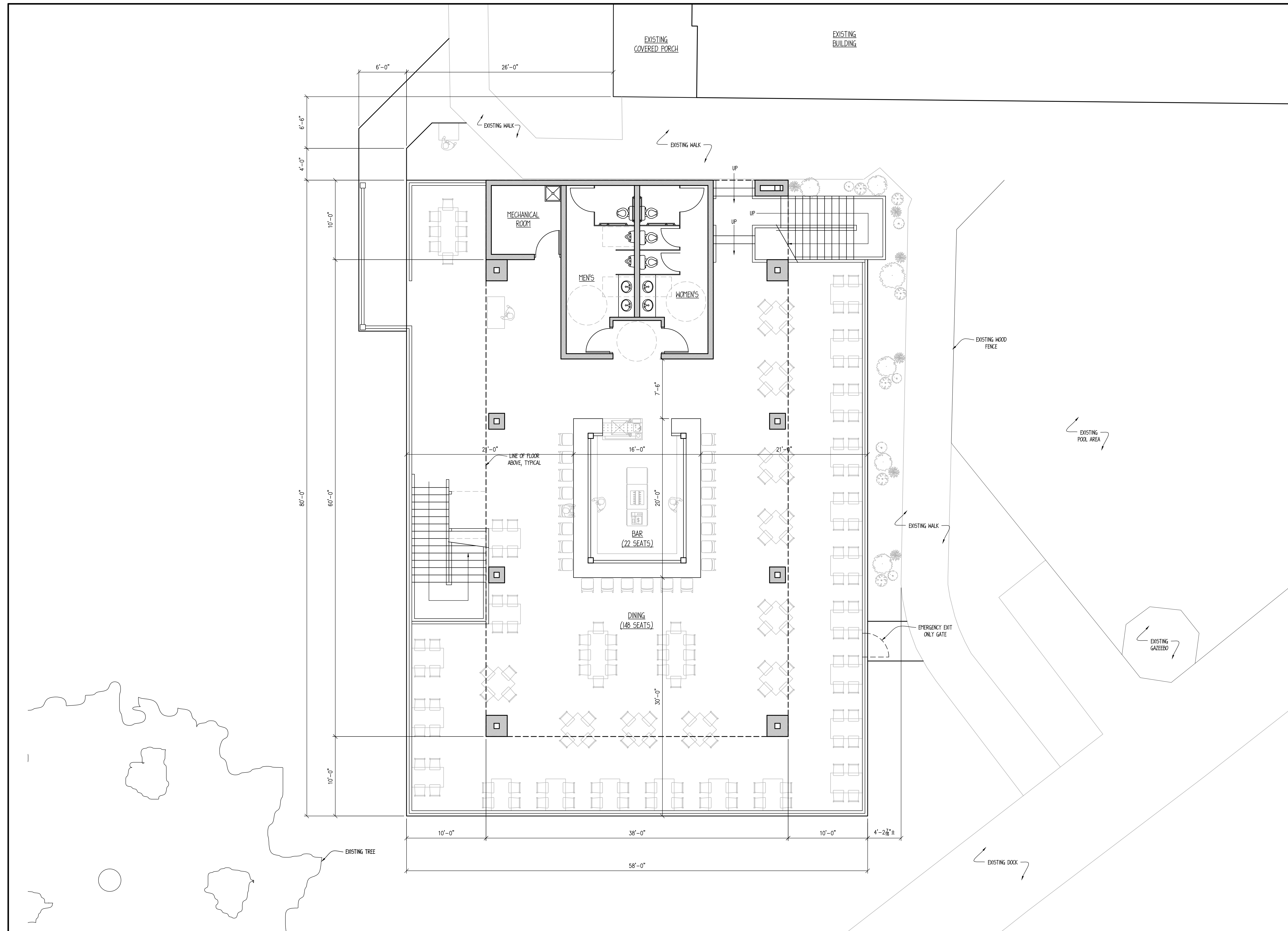
40 BUTLER STREET  
SAUGATUCK, MI 49453



ARCHITECTURE  
PLANNING  
ENGINEERING  
6650 CROSSING DRIVE, S.E.  
GRAND RAPIDS, MI 49508  
(616) 554-1222  
FAX (616) 554-1225

DATE	SEPT. 23, 2021	PROJECT No.	-
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SHEET No.	C-1
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DATE	REVISION
09-23-2021	FOR SITE PLAN APPROVAL

PROPOSED PATIO FOR:



40 BUTLER STREET  
SAUGATUCK, MI 49453

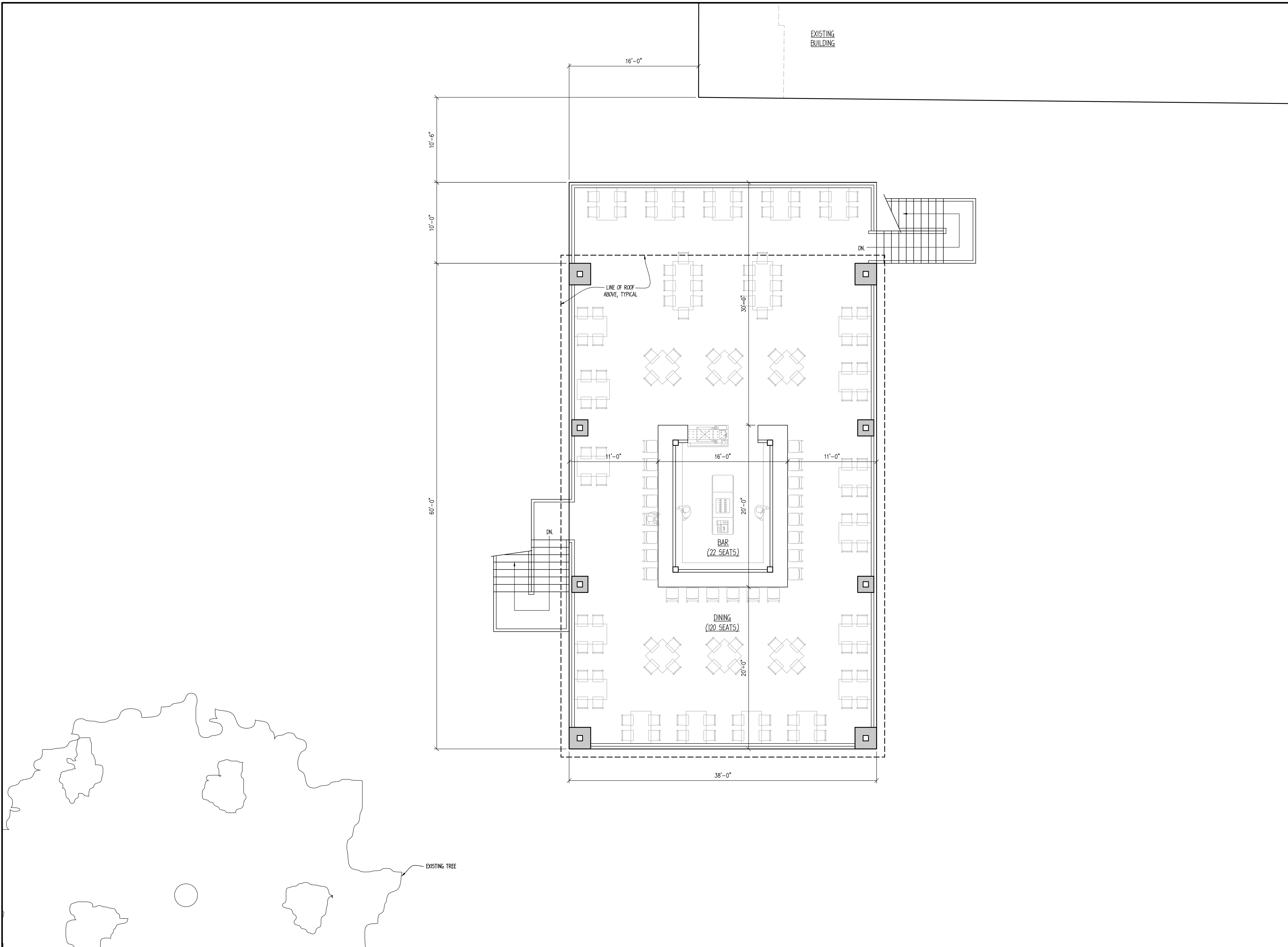


ARCHITECTURE  
PLANNING  
ENGINEERING  
6650 CROSSING DRIVE, S.E.  
GRAND RAPIDS, MI 49508  
(616) 554-1222  
FAX (616) 554-1225

DATE	SEPT. 23, 2021	PROJECT No.	-
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SHEET No.	
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A-1



PRELIMINARY  
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DATE	REVISION
09-23-2021	FOR SITE PLAN APPROVAL

PROPOSED PATIO FOR:



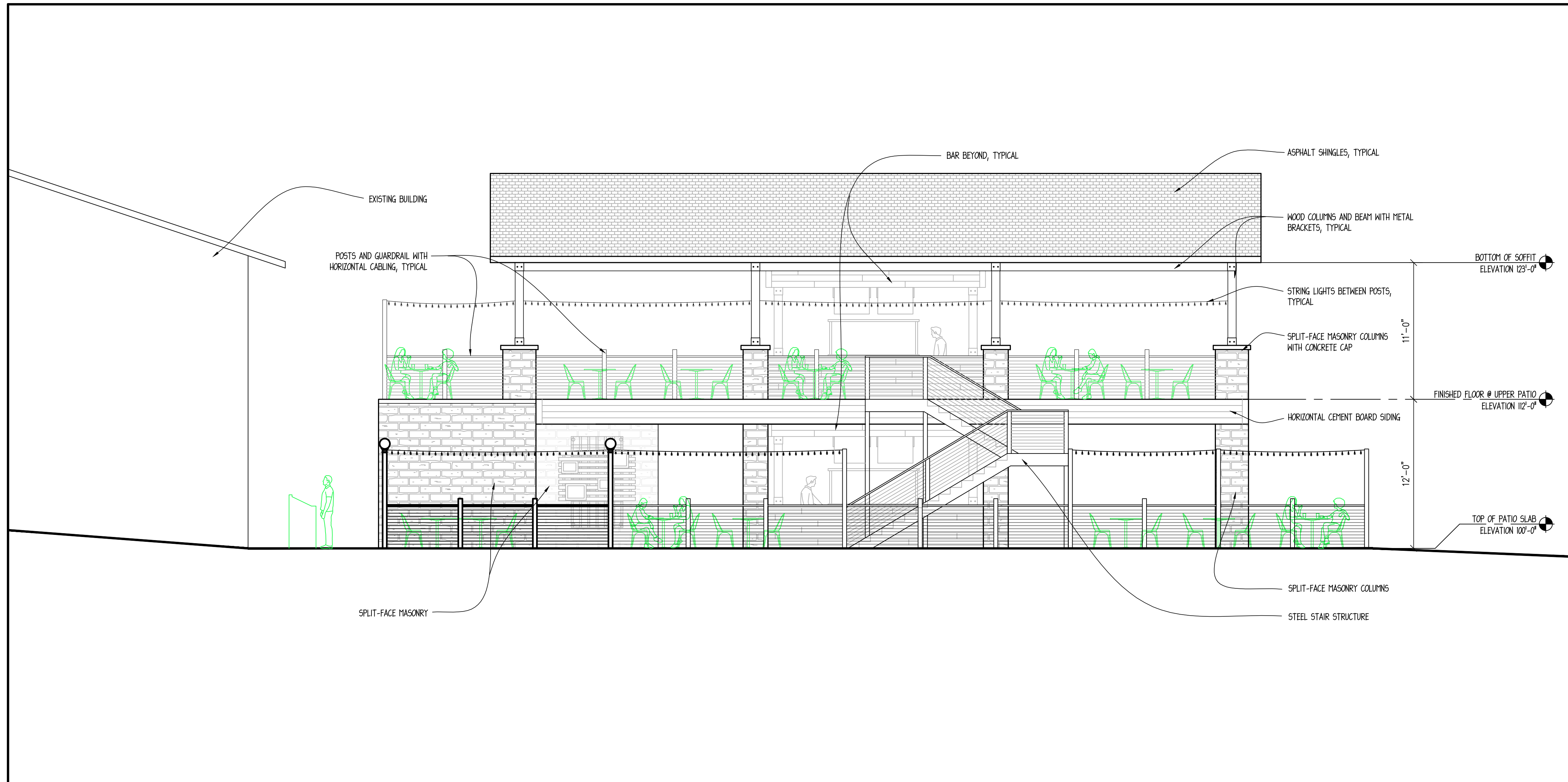
40 BUTLER STREET  
SAUGATUCK, MI 49453



ARCHITECTURE  
PLANNING  
ENGINEERING  
6650 CROSSING DRIVE, S.E.  
GRAND RAPIDS, MI 49508  
(616) 554-1222  
FAX (616) 554-1225

DATE	SEPT. 23, 2021	PROJECT No.	-
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SHEET No.	A-2
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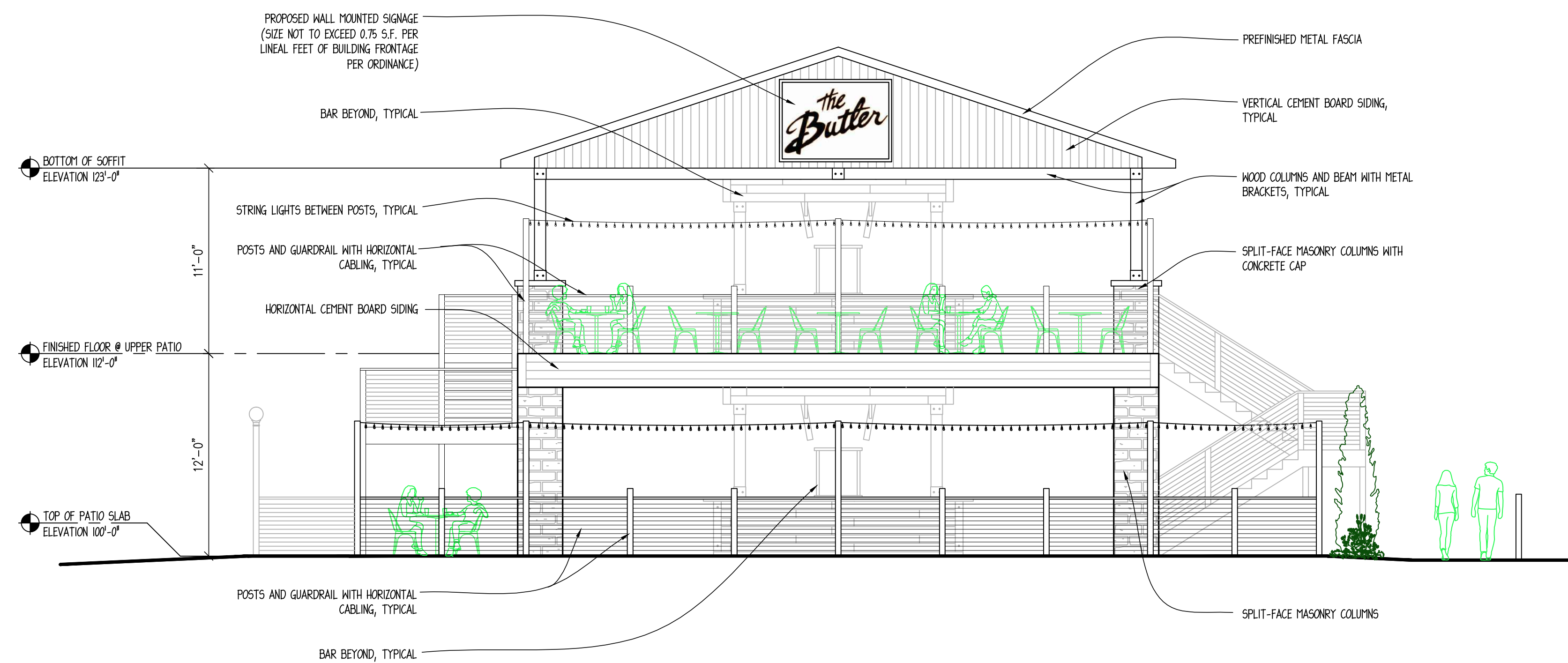


2 NORTH ELEVATION  
A-3 SCALE: 3/16" = 1'-0"

PRELIMINARY  
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DATE	REVISION
09-23-2021	FOR SITE PLAN APPROVAL



1 WEST ELEVATION  
A-3 SCALE: 3/16" = 1'-0"

PROPOSED PATIO FOR:



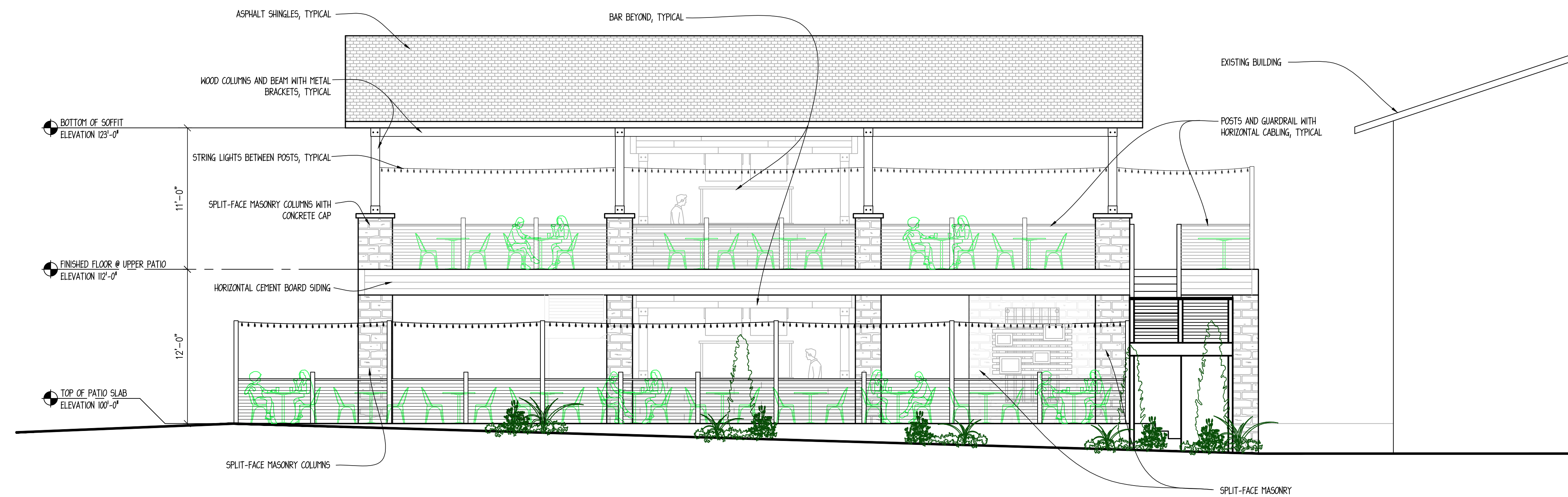
40 BUTLER STREET  
SAUGATUCK, MI 49453



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GRAND RAPIDS, MI 49508  
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FAX (616) 554-1225

DATE	SEPT. 23, 2021	PROJECT No.	-
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SHEET No.	A-3
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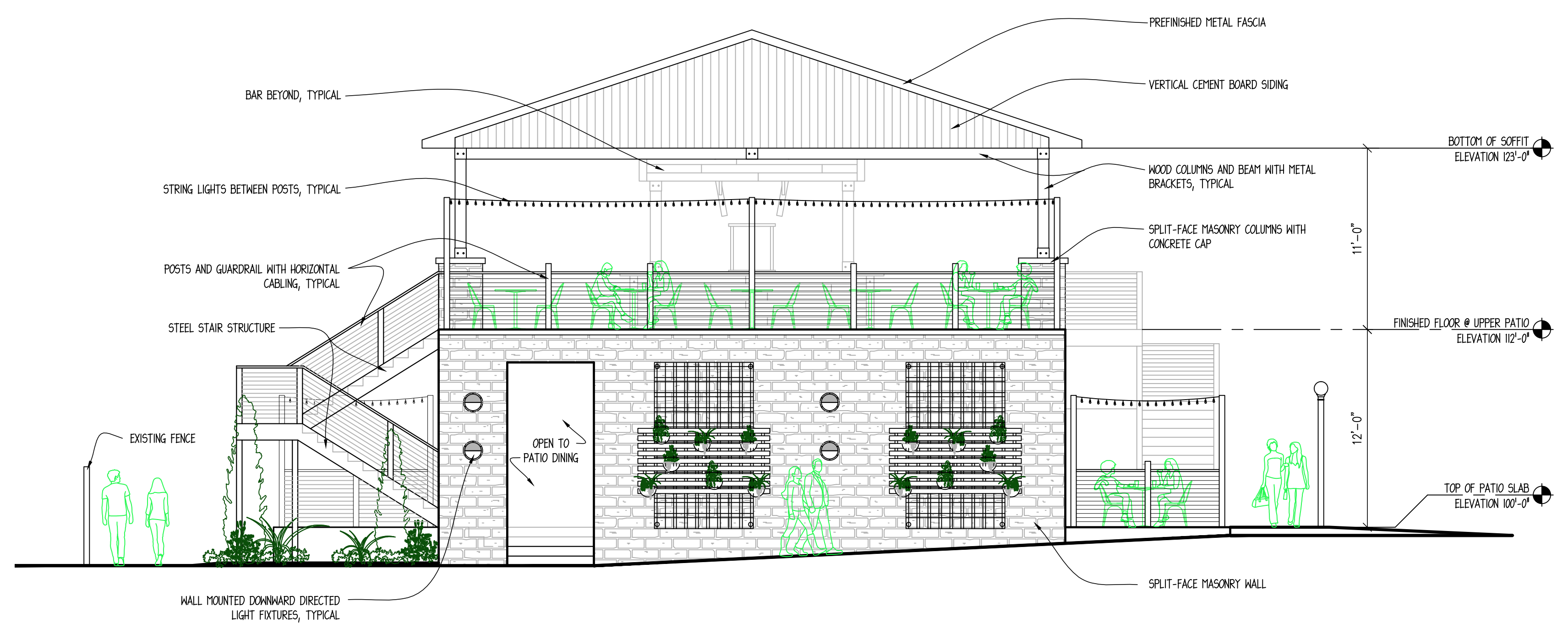


2 SOUTH ELEVATION  
A-4 SCALE: 3/16" = 1'-0"

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DATE	REVISION
09-23-2021	FOR SITE PLAN APPROVAL



1 EAST ELEVATION  
A-4 SCALE: 3/16" = 1'-0"

PROPOSED PATIO FOR:



40 BUTLER STREET  
SAUGATUCK, MI 49453



ARCHITECTURE  
PLANNING  
ENGINEERING  
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GRAND RAPIDS, MI 49508  
(616) 554-1222  
FAX (616) 554-1225

DATE	SEPT. 23, 2021	PROJECT No.	-
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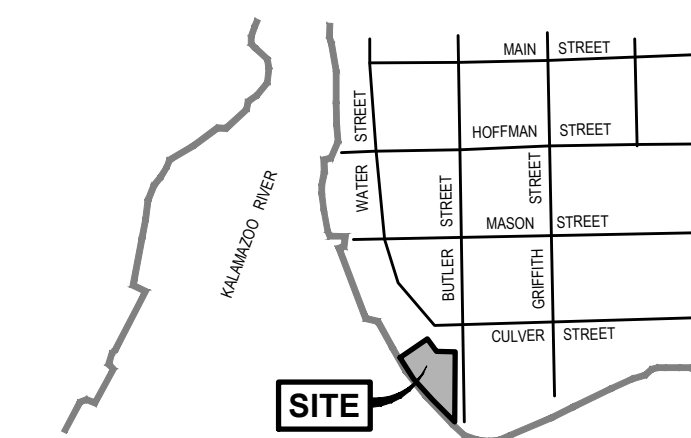
SHEET No.	A-4
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**PREPARED FOR:**  
 Redwater Group  
 Craig Smith  
 5500 Cascade Road SE  
 Suite 200  
 Grand Rapids, MI 49546

**REVISIONS:**  
 Title: City Submittal  
 Drawn: Brad M. Checked: Jack B. Date: 10.12.2021

**The Butler**  
**Existing Site Conditions & Removals**  
 40 Butler Street  
 PART OF THE SW 1/4 OF SECTION 9, T3N, R18W,  
 CITY OF SAUGATUCK, ALLEGAN COUNTY, MICHIGAN

**STAMP:**  
**PROJECT NO:**  
 21201851  
**SHEET NO:**  
**C-201**



**LOCATION MAP**  
 NOT TO SCALE

**BENCHMARKS**

**BENCHMARK #1** ELEV. = 586.63 (NGVD29)  
 Railroad spike in E. side of utility pole, 1.3' above grade located 27'± W. of C/L Butler St. & 220'± S. of C/L Culver Street.

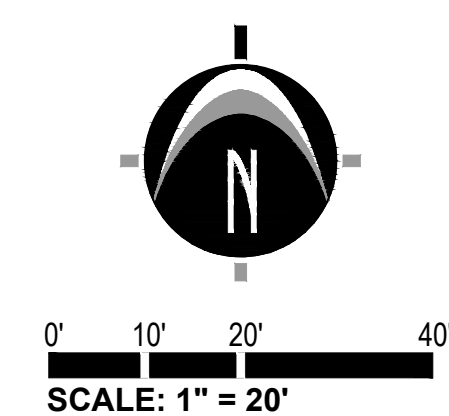
**BENCHMARK #2** ELEV. = 584.95 (NGVD29)  
 Top of SE. flange bolt on hydrant (under "M" of "MADE"), 1.6' above grade located at the S. end of Butler St. 3'± S. of back of curb & 15'± E. of C/L Culver Street.

**REMOVAL NOTES**

- ◊ REMOVE EXISTING LIGHT POLE
- ◊ REMOVE EXISTING WOOD DECK
- ◊ REMOVE EXISTING STAIRS
- ◊ REMOVE EXISTING FENCE

**LEGEND**

- AC Air Conditioner
- △ Benchmark / Control Point
- ▣ Catch Basin - Square
- ▤ Cable Riser
- ▥ Electric Riser
- ▧ Flag
- ▨ Gas Meter
- ▩ Guy Anchor
- Hydrant
- Iron - Set
- Iron - Found
- ☀ Light Pole
- ⊙ Manhole
- ⊙ Post
- ▭ Phone Riser
- ⊙ Utility Pole
- ⊙ WV Water Valve
- ⊙ YD Yard Drain
- OH Overhead Utility
- X - X - Fence
- ▨ Asphalt
- ▨ Concrete
- ▨ Existing Building
- ▨ Existing Wood Deck Removal
- ▨ Existing Contour
- - - 100 Year Floodplain Limits (Elev. 584.0)

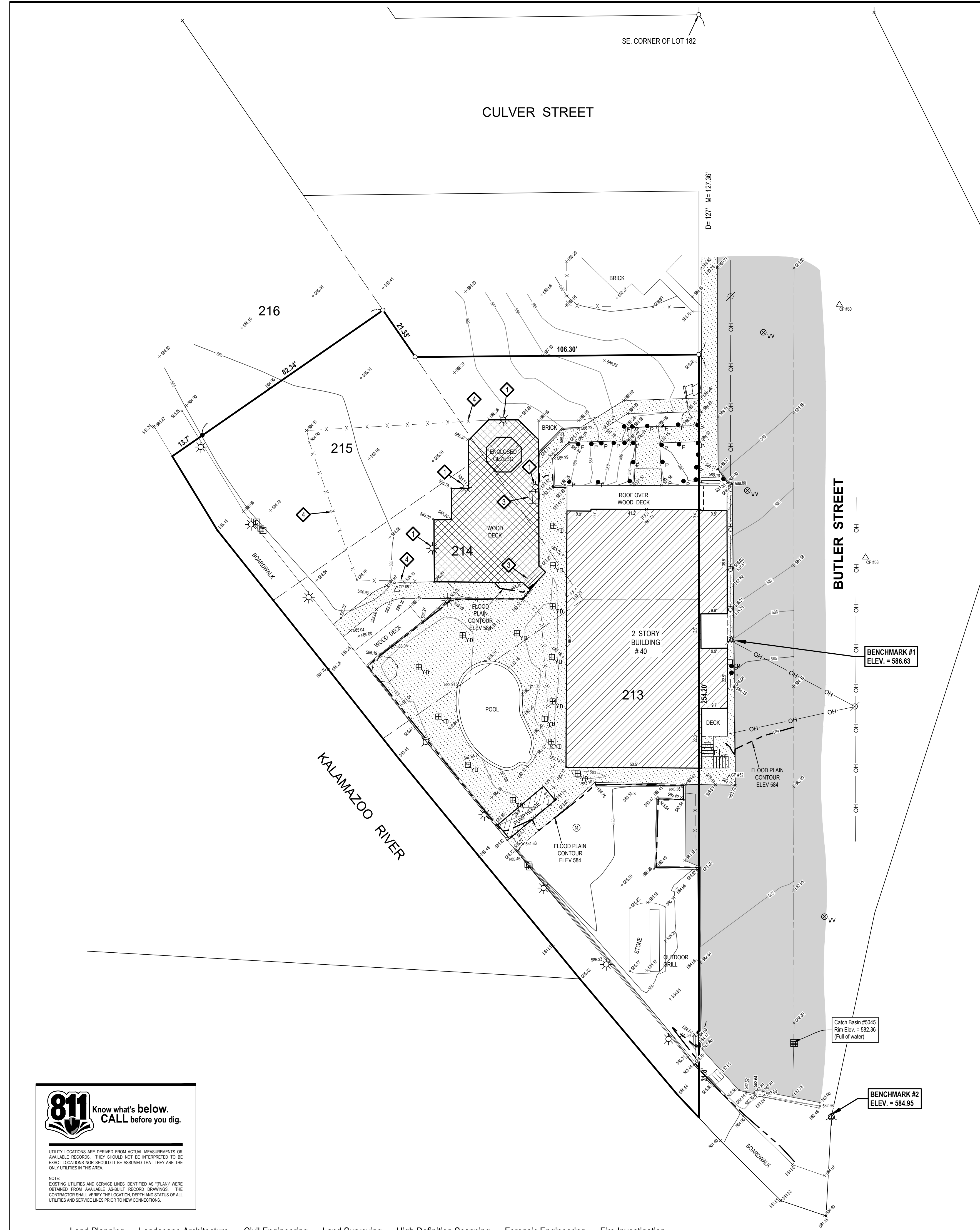


**SURVEYOR'S NOTES**

- 1) Flood Zone Classification: An examination of the National Flood Insurance Program's Flood Insurance Rate Map for Community Number 260305, Panel Number 0001C, with an Effective Date of February 1, 1980, shows this parcel to be located in Zone C and Zone A2 (subject to map scale uncertainty). No field surveying was performed to determine this zone.
- 2) Source information from plans and markings has been combined with observed evidence of utilities to develop a view of the underground utilities. However, lacking excavation, the exact location of underground features cannot be accurately, completely, and reliably depicted. In addition, in some jurisdictions, 811 or other similar utility location requests from surveyors may be ignored or result in an incomplete response. Where additional or more detailed information is required, the client is advised that excavation may be necessary.
- 3) Waters edge as plotted and shown hereon was field located on September 14, 2021. The boundary along the waters edge is subject to change due to natural causes and it may or may not represent the actual location of the limit of title.
- 4) NOTE TO CONTRACTORS: 3 (THREE) WORKING DAYS BEFORE YOU DIG, CALL MISS DIG AT TOLL FREE 1-800-482-7171 FOR UTILITY LOCATIONS ON THE GROUND.

**DESCRIPTION**

LOTS 213, 214 & 215 ALSO COM 127 FT S OF SE COR OF LOT 182 TH S TO NE COR LOT 213 TH W TO NE LINE LOT 214 TH NWLY ALG NE LINE TO A PT DJE W OF BEG TH E TO BEG KALAMAZOO PLAT. TAX MAP-0.45 AC

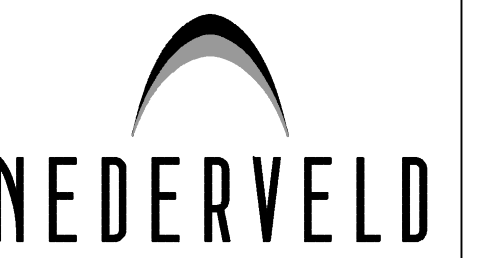


**811** Know what's below.  
**CALL before you dig.**

UTILITY LOCATIONS ARE DERIVED FROM ACTUAL MEASUREMENTS OR AVAILABLE RECORDS. THEY SHOULD NOT BE INTERPRETED TO BE EXACT LOCATIONS NOR SHOULD IT BE ASSUMED THAT THEY ARE THE ONLY UTILITIES IN THIS AREA.

NOTE: EXISTING UTILITIES AND SERVICE LINES IDENTIFIED AS "PLAN" WERE OBTAINED FROM AVAILABLE AS-BUILT RECORD DRAWINGS. THE CONTRACTOR SHALL VERIFY THE LOCATION, DEPTH AND STATUS OF ALL UTILITIES AND SERVICE LINES PRIOR TO NEW CONNECTIONS.





www.nederveld.com  
800.222.1868  
GRAND RAPIDS  
217 Grandville Ave., Suite 302  
Grand Rapids, MI 49503  
Phone: 616.575.5190

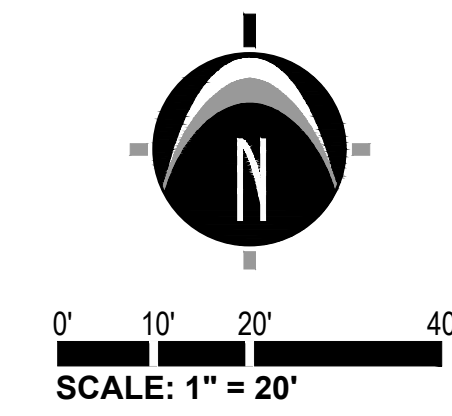
ANN ARBOR  
CHICAGO  
COLUMBUS  
HOLLAND  
INDIANAPOLIS  
ST. LOUIS

**PREPARED FOR:**

Redwater Group  
Craig Smith  
  
5500 Cascade Road SE  
Suite 200  
Grand Rapids, MI 49546

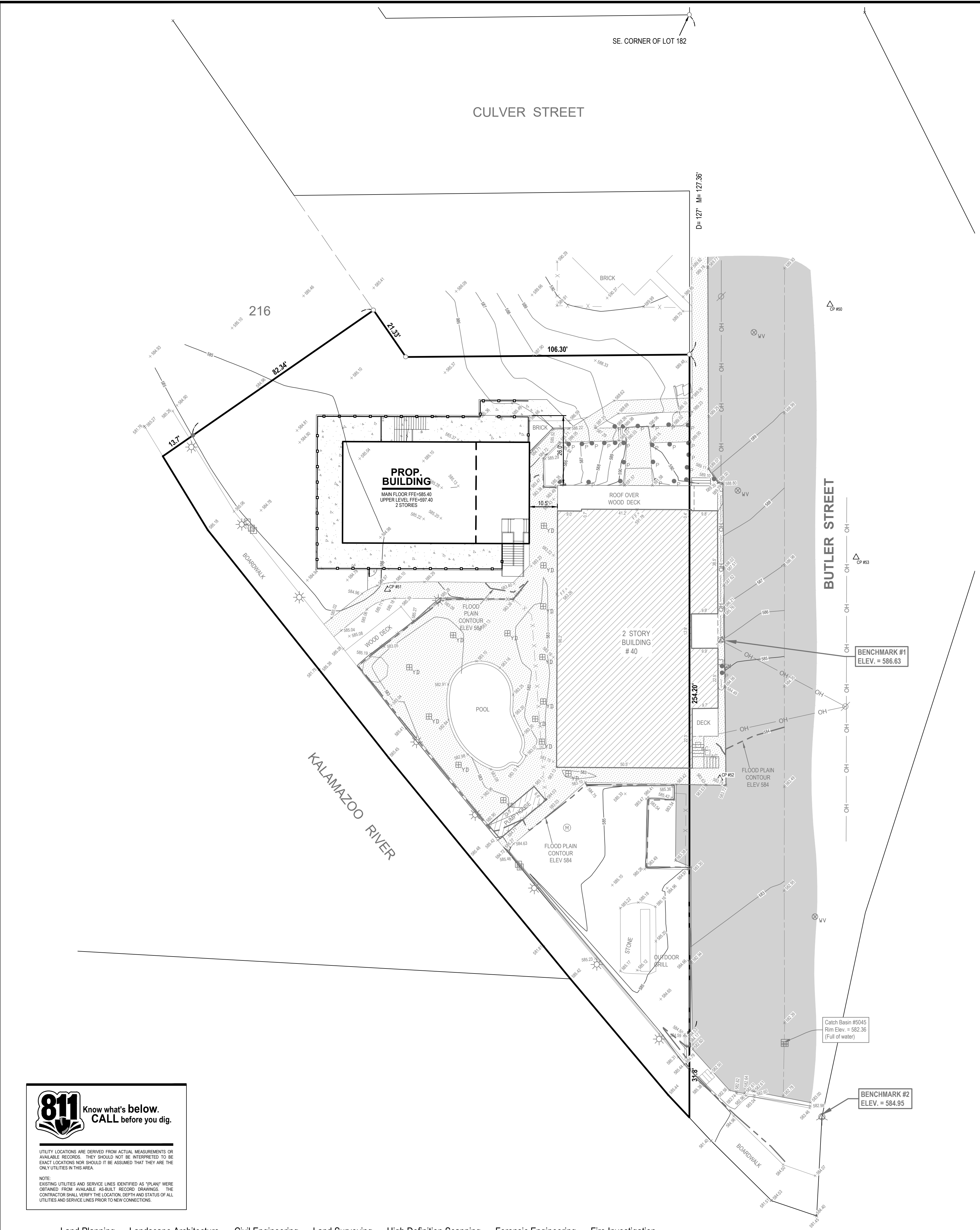
**REVISIONS:**

Title: City Submittal  
Drawn: Brad M. Checked: Jack B. Date: 10.12.2021



**LEGEND**

[Pattern]	EXISTING BITUMINOUS
[Pattern]	EXISTING CONCRETE
[Pattern]	PROPOSED CONCRETE (STANDARD DUTY)



**811** Know what's below. CALL before you dig.

UTILITY LOCATIONS ARE DERIVED FROM ACTUAL MEASUREMENTS OR AVAILABLE RECORDS. THEY SHOULD NOT BE INTERPRETED TO BE EXACT LOCATIONS NOR SHOULD IT BE ASSUMED THAT THEY ARE THE ONLY UTILITIES IN THIS AREA.

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**The Butler**  
**Site Layout Plan**  
40 Butler Street  
PART OF THE SW 1/4 OF SECTION 9, T3N, R18W,  
CITY OF SAUGATUCK, ALLEGAN COUNTY, MICHIGAN

**STAMP:**

ROGER JACK BARR II  
ENGINEER  
No. 41990

**PROJECT NO:**  
21201851

**SHEET NO:**  
**C-205**



**MEMORANDUM**

**City of Saugatuck Planning Commission**

<b>Memo Date:</b>	<b>October 15, 2021</b>	<b>Meeting Date:</b>	<b>October 21, 2021</b>
<b>Request:</b>	<b>Site Plan/SLU</b>	<b>Applicant:</b>	<b>Redwater Group</b>
<b>Address:</b>	<b>40 Butler Street</b>	<b>Project Name:</b>	<b>The Butler</b>
<b>Parcel:</b>	<b>03-57-300-214-00</b>	<b>Plan Date:</b>	<b>September 23, 2021- Arch Cnps.</b>
<b>Acreage:</b>	<b>.45</b>	<b>Zoning District:</b>	<b>C-2 Water Street South WSS</b>
<b>Complete:</b>	<b>Yes</b>	<b>Recommendation:</b>	<b>Conditional Approval</b>
<b>Prepared by:</b>	<b>Cindy Osman</b>	<b>Consultant:</b>	<b>David M. Jirousek, AICP</b>

**Overview**

The applicant has applied to construct a new two-story building and patio expansion for open-air and outdoor dining at The Butler restaurant. Restaurants are classified as special land uses in the C-2 Water Street South WSS zoning district. The City requires a hearing, approval of the land use, and approval of the site plan by the Planning Commission. The purpose of this memo is to provide a compliance review related to all applicable zoning standards and requirements and to assist the Planning Commission with the development of findings of fact related to the request.

**Proposal**

The proposed two-story building is of an open-air design for seasonal usage with 312 seats. The existing deck and gazebo will be removed prior to the construction of the new building.



*Figure 1 Aerial Photo of Site*

The majority of seating areas are sheltered, and there are enclosed bathrooms and a mechanical room on the ground level. The building footprint is approximately 2,660 square feet, with over 5,300 square feet of covered space. Open patio seating is proposed on three sides of the building.

The building is approximately 31 feet in height at its peak and 27 feet in height at the mid-point of the roof. The facility will be accessible by walkways currently existing on the site, and the area will be illuminated by string-lighting and pole-mounted light fixtures.



*Figure 2 3-D Rendering of Proposed Building*

## **Review Process and Standard**

The application requires review in accordance with the following sections of the City of Saugatuck Code of Ordinance.

- Approval by the Historic District Commission Chapter 152 (occurred on September 2, 2021)
- Compliance with the City Zoning Code, Chapter 154
- Site Plan approval in accordance with Section 151.060
- Special Land Use approval in accordance with Section 154.080
- Compliance with specific use requirements for restaurants with outdoor seating in accordance with Section 154.092 (O)

**Completeness Review**

Site plans must contain the information required by Section 154.061 of the Zoning Ordinance. The application is determined to be complete for review by City Staff and the Planning Commission.

**Zoning Compliance Review**

The proposed building complies with all dimensional and general requirements applicable to the C-2 Water Street South District.

Requirement	Compliance	Comments
Minimum Front Setback(s)- 0 ft.	Yes	
Minimum Side Setback- 10 ft.	Yes	
Minimum Waterfront Setback- 25 ft.	Yes	
Maximum Lot Coverage	N/A	
Patio Projection into Waterfront Setback	Yes	
Building Height- 28 ft. at midpoint, 32 ft. at peak	Yes	
Lighting	N/A	See site plan review comments
Parking Count	N/A	The C-2 Water Street South district is exempt from the off-street parking requirement (Section 154.131)

**Site Plan Standards of Approval**

The following standards for site plan review and approval apply to the project per Section 154.063. Findings related to each standard are provided for consideration by the Planning Commission.

- A. *All elements of the site plan shall be harmoniously and efficiently organized in relation to topography, the size and type of lot, the character of adjoining property and the type and size of the buildings. The site will be so developed as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this chapter.*

**Comment:** The applicant states that the proposed outdoor seating area will be complementary to the existing restaurant use. The Historic District Commission found the building to be compatible in form, mass, and siting. There are some finishes changes that will require a new application to the Historic District.

*B. The landscape shall be preserved in its natural state, insofar as practical, by removing only those areas of vegetation or making those alterations to the topography which are reasonably necessary to develop the site in accordance with the requirements of this chapter.*

**Comment:** There is no landscaping or topographic features in the area where the proposed structure is to be located. Further, the site plan has a considerable lawn area to the west and north of the building to be preserved as open space.

*C. The site plan shall provide reasonable visual and sound privacy for all dwelling units located therein. Fences, walks, barriers and landscaping shall be used, as appropriate, to accomplish these purposes.*

**Comment:** There are no dwelling units included in this site plan. However, the closest off-site dwellings are located at 201 Culver Street. While within view of the residential units, restaurant seating areas are oriented toward the north, west, and south, not to the east (the direction of 201 Culver Street).

*D. All buildings or groups of buildings shall be arranged so as to permit necessary emergency vehicle access as required by the Fire Department.*

**Comment:** Adequate lawn area north of the existing building provides access to the structure for emergency vehicles. As a condition of approval, the Fire Department must review the site layout as it relates to site access and the ability to respond to emergencies.

*E. There shall be provided a pedestrian circulation system which is separated from the vehicular circulation system. In order to ensure public safety, special pedestrian measures, such as crosswalks, crossing signals and other such facilities may be required in the vicinity of schools, playgrounds, local shopping areas and other uses which generate a considerable amount of pedestrian traffic. All federal, state, and local barrier free requirements shall be met.*

**Comment:** A concrete sidewalk will connect the existing restaurant building to this new structure. There is no vehicular circulation system. It should be noted that the waterfront walkway is not affected by the proposed site improvements. There is currently a pathway owned and maintained by the City which provides appropriate public pedestrian and access to the site. As a reasonable condition of approval due to the benefit to the property for pedestrian circulation, ingress and egress to the additional building and use of the site, as well as maintaining consistency with the City's land use goals, it is recommended that the current owner record an easement for public access consistent with the waterfront walkway to ensure unrestricted pedestrian access along the waterfront.

*The arrangement of public or common ways for vehicular and pedestrian circulation shall be connected to existing or planned streets and pedestrian or bicycle pathways in the area. Streets and drives which are part of an existing or planned street pattern serving adjacent development*

*shall be of a width appropriate to the traffic volume they will carry and shall have a dedicated right-of-way equal to that specified in the City's land use plan.*

**Comment:** N/A

*F. All streets shall be developed in accordance with city specifications, unless developed as a private road.*

**Comment:** N/A.

*G. Appropriate measures shall be taken to ensure that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. Provisions shall be made to accommodate storm water, prevent erosion and the formation of dust. The use of detention/retention ponds may be required. Surface water on all paved areas shall be collected at intervals so that it will not obstruct the flow of vehicular or pedestrian traffic, create puddles in paved areas or create erosion problems.*

**Comment:** Adjacent to the property are a park, two streets, and waterfront. Storm water from the new building will sheet drain south to the river. Since the lawn area is proposed to be preserved around the building site, some stormwater will be infiltrated into the ground before sheet-flow runoff enters the Kalamazoo River.

*H. All loading and unloading areas and outside storage areas, including areas for the storage of trash, which face or are visible from residential districts or public thoroughfares, shall be screened by an opaque wall or landscaped screen not less than six feet in height. (See §§ 154.142 through 154.144).*

**Comment:** No new loading or unloading areas, or trash storage are proposed. However, the proposed building will result in a significant increase in patrons and restaurant services. As such, it is recommended that loading and unloading occur within the Butler Street "street end" to not impede traffic circulation in the southern downtown area.

*I. Exterior lighting shall be arranged so that it is deflected away from adjacent properties and so that it does not impede the vision of traffic along adjacent streets. Flashing or intermittent lights shall not be permitted.*

**Comment:** Lighting was previously discussed at the Historic District Commission (HDC), and it was acknowledged that the string lighting would be minimal and dimmable. However, the 3-D renderings show additional pole-mounted glass globe fixtures, which will require further HDC review and approval.

*J. In approving the site plan, the Planning Commission may recommend that a bond or other financial guarantee of ample sum be furnished by the developer to ensure compliance for such requirements as drives, walks, utilities, parking, landscaping and the like (see § 154.173).*

**Comment:** As a single-building development project with no other proposed site improvements, a financial guarantee is not necessary to ensure that site improvements are completed.

### Special Land Use Standards of Approval

In accordance with Section 154.080, before any special land use permit is granted, the Planning Commission shall make findings of fact based upon competent evidence certifying compliance with the specific regulations governing individual special land uses and, in addition, ensure that the following general standards have been met. Findings related to each standard are provided for consideration by the Planning Commission.

1. *In location, size, height and intensity of the principal and/or accessory operations, be compatible with the size, type and kind of buildings, uses and structures in the vicinity and on adjacent property;*

**Comment:** This issue is addressed in the site plan review section and with the Historic District Commission. The Planning Commission may wish to address hours of operation or hours when amplified music is used. Staff recommends that hours open to the public for outdoor entertainment and dining are 9:00 AM to 11:00 PM.

2. *Be consistent with and promote the intent and purpose of this chapter;*

**Comment:** Since restaurants have characteristics that could potentially impact nearby properties, a higher-level of special land use review authority is incorporated into the Zoning Ordinance. Based on the conditions recommended by Staff, it is believed that the proposal is generally aligned with the purpose of special land use regulation.

#### *154.080 Purpose*

*(A) In order that this chapter be flexible and reasonable, special land uses are provided for and require special land use permits.*

*(B) Conformance to special land use standards is required, in addition to all other requirements of this chapter. All the uses are hereby declared to possess characteristics of the unique and distinct form that each specific use shall be considered on an individual basis.*

*(C) The granting of a special land use permit does not negate the requirement for any other required permits.*

3. *Be compatible with the natural environment and conserve natural resources and energy;*

**Comment:** The lighting will be minimal, and the use will be seasonal, minimizing the need for extensive heating or cooling. Additionally, the building envelope is not maximized. It is

conceivable that a larger building could be placed on the site and comply with dimensional requirements. As proposed, the building is separated from Cook Park by over 30 feet, rather than built up to the property line.

4. *Be consistent with existing and future capabilities of public services and facilities affected by the proposed use;*

**Comment:** The proposed structure will have minimal impact on public services. As a reasonable condition of approval due to the benefit to the property for pedestrian circulation, ingress and egress to the additional building and use of the site, as well as maintaining consistency with the City's land use goals, it is recommended that the current owner record an easement for public access consistent with the waterfront walkway to ensure unrestricted pedestrian access along the waterfront.

5. *Protect the public health, safety, and welfare as well as the social and economic well-being of those who will use the land use or activity, residents, businesses and landowners immediately adjacent and the City as a whole;*

**Comment:** Immediately adjacent uses are streets and a park. Expanded outdoor seating allows for social distancing and a fresh air experience.

6. *Not create any hazards arising from storage and use of inflammable fluids;*

**Comment:** No flammable fluids will be used in conjunction with this addition.

7. *Not be in conflict with convenient, safe and normal vehicular and pedestrian traffic routes, flows, intersections and general character and intensity of development. In particular:*

- (a) *The property shall be easily accessible to fire and police; and*
- (b) *Not create or add to any hazardous traffic condition.*

**Comment:** The property is anticipated to be easily accessible by emergency services, but the Fire Department approval is a recommended condition of approval.

8. *Be of such a design and impact that the location and height of buildings, the location, nature and height of walls, fences and the nature and extent of landscaping on the site shall not hinder or discourage the appropriate development and use of adjacent land and buildings or impair the value thereof;*

**Comment:** The structure will not hinder the use of the park or the streets. For reference, the Butler restaurant building is about 106 feet by 59 feet, and the two-story patio will be about 70 feet by 38 feet with 10 feet of uncovered perimeter seating on three sides.



9. *That in the nature, location, size, and site layout of the use, be a harmonious part of the district in which it is situated taking into account, among other things, prevailing shopping habits, convenience of access by prospective patrons, the physical and economic relationship of one type of use to another and characteristic groupings of uses of the district; and*

**Comment:** The structure will not hinder the use of the park or the streets. As mentioned earlier, a significant portion of the lawn area will be preserved so as not to impact Cook Park, and the walkway will not be affected.

10. *That in the location, size, intensity and site layout be such that operations will not be objectionable to nearby dwellings, by reason of noise, fumes, pollution, vibration, litter, refuse, glare or flash of lights to an extent which is greater than would be operations of any use permitted by right for that district within which the special land use is proposed to be located.*

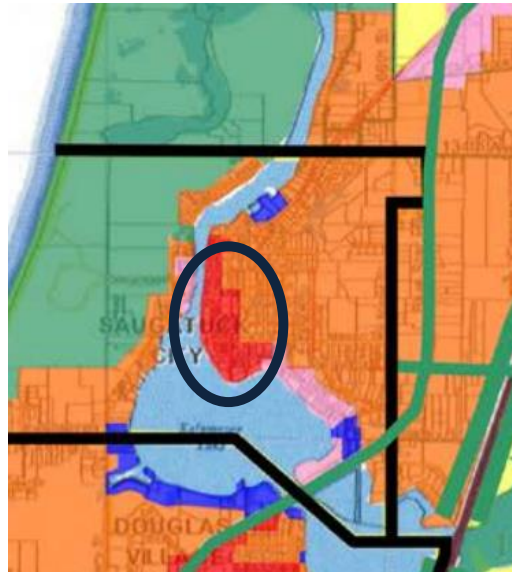
**Comment:** The Commission may consider limiting hours of operations or hours of amplified music. The closest residential units are the condos at 64 Griffith Street and 201 Culver Street (approximately 150 feet to each building). As mentioned earlier in this report, Staff recommends that hours open to the public for outdoor entertainment and dining are 9:00 AM to 11:00 PM.

Section 154.080 also requires the Planning Commission to consult the City land use plan to determine if the proposed special land use is compatible with the future planned use of surrounding property and may limit the permit so as not to conflict with future planned land use. The duration of the permit may be limited only if such use is clearly temporary in nature.

**Comment:** The Master Plan supports waterfront dining and development to accommodate residents and tourists based on the following excerpts. As such, no other limitations of use or duration of the permit are recommended, aside from the conditions offered earlier in this report.

*In order for viewing to take place, the public needs to have access to the water's edge. Views of the water are available from Blue Star Highway, local streets along Kalamazoo Lake, several parks in downtown Saugatuck, from restaurants along the Kalamazoo River in downtown Saugatuck and from selected other sites...*

*Commercial uses in downtown Saugatuck are primarily oriented to tourists and seasonal residents. 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. Downtown Saugatuck and the City of the Village of Douglas Village Center are characterized by compact building arrangements which limit parking spaces...*



*Figure 3 Future Land Use Map (red indicates commercial)*

Photo 7-8  
**Restaurants are Among Water Viewing Sites**



Source: Felicia Fairchild, Saugatuck Douglas  
Convention and Visitors Bureau

*Figure 4 Restaurants fronting the Kalamazoo  
River Walkway*

### Requirements Restaurants with Outdoor Seating

Section 154.092 (O) includes specific and supplemental requirements for restaurants with outdoor seating. Outdoor seating is determined to be an expansion of commercial use and is subject to the following zoning requirements.

1. *Tables, chairs, or similar features shall not have display signage or emblems representative of the restaurant;*

**Comment:** Besides the wall signage shown on the building elevations and 3-D rendering, no other display signage is proposed. However, ongoing compliance with this section is required.

2. *Outdoor seating area shall be on a fully improved surface of concrete, paver brick, or similar solid material;*

**Comment:** Outdoor seating as part of the project is proposed to be within the covered open-air building as well as a 10-foot solid-surface patio area on the north, west, and south side of the building.

3. *If alcohol is served, area shall meet all applicable local, state, and federal regulations.*

**Comment:** The business is currently permitted to sell alcohol, and ongoing local, state, and federal regulations must be satisfied on an ongoing basis.

### Recommendation

Staff can recommend approval of a new two-story expansion of outdoor dining Site Plan Review and a Special Land Use Permit. If the Planning Commission finds that all the standards are met, the following motion may be used:

*I move to conditionally approve the special land use and site plan (last revised September 23, 2021), including the plans and supplemental materials provided by the applicant for The Butler restaurant located at 40 Butler Street. This motion conditionally approves an approximately 5,320 square-foot two-storage open-air restaurant building expansion (2,660 square foot footprint). This motion is based on the documented findings included within the staff report dated October 15, 2021, provided by the City Zoning Administrator [as well as the following findings if applicable]. These comments are to be incorporated into the record and are adopted as part of the Planning Commission's findings of fact.*

1. \_\_\_\_\_.

2. \_\_\_\_\_.

3. \_\_\_\_\_.
4. \_\_\_\_\_.
5. \_\_\_\_\_.

*Additionally, approval is conditioned on the following, with items 1-3 to be completed prior to the issuance of building permits and the remaining items as ongoing conditions of approval.*

1. *Secure a Historic District Commission Certificate of Appropriateness for any applicable change to building materials and site lighting.*
2. *Secure Fire Department approval of the site plan for access and emergency service response.*
3. *Record an easement, subject to approval by the City Attorney, which allows for the continued unrestricted public access along the waterfront walkway, including the construction, maintenance, and alteration of the same with an easement area as described consistent with the current walkway's size, plus reasonable area for the construction and maintenance of the same.*
4. *Loading and deliveries shall only occur off the Butler Street "street end" on the west side of the street.*
3. *Hours open to the public shall be from 9:00 AM to 11:00 PM.*
4. *Construction-related staging shall only occur on-site and not within the City's right-of-way and construction shall not prevent public access to the walkway.*
5. *Compliance with all other zoning requirements shall be maintained.*
6. *Construction-related staging for the improvements and building(s) shown on the site plan shall only occur on-site and not within the City's right-of-way so as to prevent impeding traffic and construction shall not prevent public access to the walkway or sidewalks on or adjoining the property.*
7. \_\_\_\_\_.
8. \_\_\_\_\_.