

STATEMENT OF FINDINGS AND CONCLUSIONS

This Statement of Conclusions is made by the **City of Mackinac Island, Planning Commission**, a Michigan municipal corporation (City) regarding application file number R425 098 052 from GHMI Resort Holdings, LLC and KSL Capital Partners, LLC (Owner).

RECITATIONS

Owner holds fee title of the property located at 4th Street and Cadotte Avenue, Mackinac Island, Michigan 49757, Property Tax ID No. 49-051-630-098-00 (the Property).

Owner made application for a Special Land Use to change the use of the Property, located in R-4 Harrisonville Residential District, from single-family use to Boardinghouse use.

A hearing was held on the application on or about December 9, 2025, after proper notice was posted and sent.

STATEMENT OF FINDINGS

Through the Owner's application and revised project description, other information provided by the applicant, and the letters, advice of city's legal counsel, the city's Zoning Ordinance, and input provided by the public, the following factual findings were made by the Planning Commission:

1. The application seeks Special Land Use approval of both the proposed use and proposed structure. In considering the Special Land Use, the proposed use depends on and is driven by approval of the structure (and other aspects of site plan development) under Article 20 and other relevant portions of the Zoning Ordinance. Whether a given use is permitted is not determined in a vacuum, but always in relation to and dependent upon whether the proposed structure meets all of the ordinance requirements for that use. Therefore, the threshold question must always be whether the proposed structure supports meets the requirements of the ordinance.
2. The structure proposed in the Owner's application is clearly a multi-family structure as defined in Section 2.33:

“A building or portion thereof, **used or designed** as a residence for three or more families living independently of each other having their own cooking facilities therein. This definition includes three-family houses, townhouses, four-family houses and apartment houses.”

It was designed as a residence for three or more families living in individual dwelling units and if approved as a structure, would support the multi-family use proposed by the applicant. (A dwelling unit is defined as “any house or portion thereof having cooking facilities which is occupied usually as a home,

residence or sleeping place of one family, either permanently or transiently...’).

3. A multiple-family structure may be permitted with a special land use in R-4, but the original application for multiple-family special land use was amended to the current boardinghouse special land use application. Therefore, there is no pending application for multiple-family special land use.
4. The proposed building could not have been approved as a multiple-family special land use since it had to comply “with all other district regulations” which included the density requirements of Section 7A.04E. Because of the size of the parcel, the proposed structure was limited to 3 dwelling units instead of the 12 proposed by the applicant, without a variance for the density.
5. The amended application seeks approval of the same proposed structure but as a boardinghouse under Section 7A.03B to align with the boardinghouse density requirements under Section 7A.94E. Like multi-family approval under Section 7A.03A 2, a boardinghouse under Section 7A.03B 2 can only be approved if “the boardinghouse use and/or structure complies with all other district regulations.”
6. It is unnecessary to reach a conclusion on whether the proposed use is boardinghouse use, because the structure itself is not permitted as proposed through this application.
7. It is unclear if the Owner argues that the inhabitants of the entire building are unrelated persons not consisting of a family, or if those living in each dwelling unit are unrelated and not consisting of a family. If the argument is the whole structure, then there would be no need for “multiple-family” in our ordinance. Every apartment building and condominium on the island would be required to be boardinghouse use in order to exist, which is not the way the zoning is written. If the Owner argues that each separate dwelling unit shall have unrelated persons living together, the City finds that this is not a sincere request, as the Owner has stated that each Unit will house 1 person, 2 if there is a spouse living there.
8. Because the structure is a multiple-family dwelling, which is not permitted without a special land use, and the maximum density for a multiple-family special land use is 3 dwelling units for this property.
9. The planning commission found that the special land use does not conform to the applicable regulations of the R-4 Harrisonville Residential district.
10. The planning commission found that the special land use application does not conform to all relevant criteria for review under Article 20.06, as it does not meet Sections 20.06A and 20.06H.
11. The planning commission found that all provisions of Section 7A.04 are not met, as 7A.04(E) is not met.
12. The planning commission found that all provisions of Section 7A.03B are not met, as Section 7A.03(B)(3) is not met.

STATEMENT OF CONCLUSIONS

Based on the information provided by the Owner's application and revised project description, other information provided by the applicant, and the letters, advice of city's legal counsel, the city's Zoning Ordinance, and input provided by the public, the Planning Commission made the following conclusions:

1. Will the establishment, maintenance or operation of the special land use be detrimental to or endanger the public health, safety or general welfare? – Planning commission found that it would because the operation is not following the ordinances and the community has clearly expressed that the it will through the letters received. VOTE: all ayes.
2. Will the special land use be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted or will it substantially diminish and impair property values within its neighborhood? – Planning commission found that it would be injurious because it is doing something not allowed by ordinance. Did not make specific finding on values of property within the neighborhood. VOTE: all ayes.
3. Will the establishment of the special land use not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district? – Planning commission found that it would because it is not following our ordinance. VOTE: all naves.
4. Are the adequate utilities, access roads, drainage and necessary facilities being or will be provided. Planning commission found that based on the application this standard would be met. VOTE: all ayes.
5. Are adequate measures being or will be taken to provide ingress or egress so designed to minimize congestion in the public streets. Planning commission found that based on the application this standard would be met. VOTE: all ayes.
6. Will the special land use, in all other respects, conform to the applicable regulations of the district in which it is located and to any additional conditions or procedure as specified in article 20. Planning commission found that it does not meet the regulations in the district -- no special land use requested for multiple family and if it was, it would not meet the density. VOTE: all naves.

Based on the findings and conclusions stated herein, the City through its Zoning Ordinance, denies this Special Land Use Article 19 under Zoning Ordinance.

City of Mackinac Island, Planning
Commission, By:




Michael Straus, Its Chairperson

STATE OF MICHIGAN)
 :SS
County of Mackinac)

On January 17, 2026, before me, a Notary Public, in and for said County, personally appeared Michael Straus, Chairperson of the City of Mackinac Island Planning Commission, me known to be the same person described in and who executed the within instrument, who acknowledged the same to be his free act and deed on behalf of said municipal corporation commission.

SANDY TRAN
NOTARY PUBLIC-STATE OF MICHIGAN
COUNTY OF EATON
My Commission Expires August 11, 2027
Acting in the County of Ingham



_____, Notary Public
Mackinac County, Michigan
My Comm. Expires: August 11, 2027
Acting in Mackinac County, Michigan

DRAFTED BY:
Erin K. Evashevski
Attorney at Law
838 North State Street
St. Ignace, MI 49781

MACKINAC ISLAND

PLANNING COMMISSION ★ HISTORIC DISTRICT COMMISSION ★ BUILDING DEPARTMENT

File No. R425-098-052
Exhibit 00
Date 1-20-26
Initials KP

December 15, 2025

David Jurcak
GHMI Resort Holdings, LLC
100 St Paul St., Ste 800
Denver, CO 80206

RE: Parcel ID 051-630-098-00
File No. R425-098-052

Dear Mr. Jurcak,

This letter is intended to serve as notification that the City of Mackinac Island Planning and Zoning Commission has denied your Special Land Use request (R425-098-052) for Boardinghouse Use at Lot 98, Harrisonville (Property ID No. 051-630-098-00). The proposed Boardinghouse does not meet the requirements of the Zoning Ordinance, Article 19, Section 19.06. Specifically Standards 1, 2, 3, and 6.

You have the option to appeal this decision to the City of Mackinac Island Zoning Board of Appeals. The Zoning Board of Appeals shall not consider any application for appeal without the payment by the applicant or appellant to the city treasurer of a fee. Such application or appeal shall be filed with the zoning administrator, who shall transmit the same, together with all plans, specifications and other papers pertaining to the appeal to the board of zoning appeals.

Thank you,



Michael Straus
Chairman, City of Mackinac Island Planning & Zoning Commission