



SHEA CHARLES  
CITY MANAGER

# CITY OF EAST GRAND RAPIDS

750 LAKESIDE DRIVE SE • EAST GRAND RAPIDS, MICHIGAN 49506

(616) 940-4817

[www.eastgr.org](http://www.eastgr.org)

## **MEMORANDUM**

TO: Honorable Mayor and City Commissioners  
FROM: Shea Charles, City Manager  
DATE: July 14, 2025

RE: Gaslight Investors PUD Ordinance Amendment & Resolution

Attached are six documents related to the proposed Gaslight Investors PUD amendment. There are clean and redlined versions of the PUD Ordinance, Resolution, and comparison document. The drafts have been reviewed by Gaslight Investors and found to be acceptable. They also understand that these drafts are subject to review by the City Commission and they may be further modified or denied. As a PUD is a form of contract zoning the approvals are subject to the approval of both the City Commission and the developer.

### **PUD Ordinance Amendment**

The current draft is substantially the same as the draft within the June 2, 2025, Commission packet. The only modification is the inclusion of building heights and number of stories for the proposed development. A clean and redlined versions are attached.

### **PUD Amendment Resolution**

The draft PUD resolution amendment has miscellaneous changes, mostly around conditions the developer must meet for final PUD approval. Changes to note include:

1. The project can be built in phases. (Page 2)
2. When a final PUD phase is submitted a parking study shall be conducted to ensure there is enough parking for that phase and phases prior constructed phases. (Subsection 3(o)). (Page 3)
3. Buildings F, G, and H will be residential uses. Buildings C & D can have C-1 uses as defined in table 5.36 of the zoning ordinance. Building E can have C-1 uses or be all residential including first floor. Gaslight Investors is requesting this change as the location of Building E will change to address circulation issues. Depending on the final location of Building E it may impact on the economic viability of the first-floor commercial space, which is why Gaslight Investors are requesting this modification. If Building E is fully residential it will reduce the total commercial space by 2,500 square feet and add two additional residential units. (Subsection 3(q)). (Page 3)

4. Addition of language that “Traffic and mobility issues shall be addressed to the satisfaction of the City Traffic Engineer.” (Part of restatement of Planning Commission condition number one). (Page 7)
5. Addition of language to the restatement of Planning Commission number three to note “city chosen” third party engineer. (Page 7)
6. Addition of language to the restatement of Planning Commission condition number six stating “Priority shall be given to natural based solutions in accordance with applicable laws and regulations.” (Page 8)
7. Restatement of Planning Commission condition number nine modifying fiscal analysis requirement so that Gaslight Investors’ study is for their project not the entire Gaslight Village. This was done as Gaslight Investors will not have access to financial data for other private property owners. (page 8)
8. Modification of language to the restatement of Planning Commission condition number ten stating adding “possible shared solutions”. Removal of the language “with a preference for parking solutions peripheral to the development with pervious surfaces.” The modification of Planning Commission number six looks to address this issue. (Page 8)
9. Modification of City Commission condition number 1 – to clarify any streets and sidewalks constructed within the development shall be built to standards approved by the City. Additionally, it limits obstructions to streets and sidewalks to be in accordance with current City ordinances, regulations, and policies. (Page 8)
10. Modification of City Commission number 3 – any street closures within the development requires City approval. (Page 8)
11. Addition of City Commission condition number 4 – stating the City is not obligated to fund any improvements to streets or utilities due to the development. This does not preclude the City from choosing to participate in funding. It also states the City can fund if it chooses to do so. (Page 8)
12. Addition of City Commission condition number 5 – stating the that if street and utility improvements are determined to be needed and are not appropriately funded the plans must be modified to reduce the need for the improvements or in a way that the improvements can be funded. It also states the City can fund if it chooses to do so. (Page 9)
13. Addition of City Commission condition number 6 – stating if the project is developed in phases this may require updated studies for parking, utilities, and traffic. (Page 9)
14. Addition of City Commission condition number 7 – stating traffic circulation shall be addressed to the satisfaction of the city traffic engineer. (Page 9)
15. Addition of City Commission condition number 8 – stating that the final location of Building E shall be within the area identified on the attached drawing. Both parties acknowledge that traffic circulation in the current plan is a concern, and a potential solution is relocation of Building E. The City’s PUD zoning ordinance only allows the movement of buildings by three feet. This condition allows for flexibility as the parties work to address the circulation issue. (Page 9)

## Updated Concept Plan

Also included is an updated concept plan denoting the request to allow residential in all of Building E or C-1. It also shows the area that Building E can move within as described in City Commission condition number 8 in the resolution.

City Attorney John Huff has provided the attached cover letter also discussing the proposed changes. These modifications will be posted on the City's website on the Gaslight Investors page, and we will send a notification of their availability.

These items will be included in the July 21<sup>st</sup> agenda packet.

A handwritten signature in black ink, appearing to read 'Shea Charles', written in a cursive style.

---

Shea Charles, City Manager

# VARNUM

Bridgewater Place | Post Office Box 352  
Grand Rapids, Michigan 49501-0352  
Telephone 616 / 336-6000 | Fax 616 / 336-7000 | www.varnumlaw.com

John M. Huff

Direct 616 / 336-6239  
jmhuff@varnumlaw.com

July 9, 2025

**VIA USPS MAIL**

Mayor Katie Favale  
East Grand Rapids City Commissioners  
750 Lakeside Drive SE  
Grand Rapids, MI 49506

*Re: Gaslight Investors Materials*

Dear Mayor and Commissioners:

Enclosed for your review are a clean and a redlined copy of the Resolution to Approve an Updated Concept Plan, a clean and a redlined copy of the Proposed Ordinance to Amend the Jade Pig Ventures Planned Unit Development, and an updated version of the document which explains how the resolution and the ordinance impact the existing provisions of the City Code.

The redlined version of the Resolution uses red ink to show deleted language and blue ink to show added language. In subsection 3(b) it is now noted that Section 6(c) of the Amended PUD Ordinance authorizes building the development in phases. Subsection 3(o) has been clarified to indicate that if the project is built in phases, each phase will need to provide sufficient parking for all completed phases. Section 3(q) has been modified to indicate that Building E may be a mixed-use building, containing both residential and commercial uses, or may be solely a residential building.

The City Commission makes some changes to the conditions suggested by the Planning Commission. Those are outlined near the end of the document. The most substantial changes are conditions that are added to the resolution by the City Commission. These are conditions one through eight at the end of the agreement. These conditions deal with private streets and sidewalks constructed by the developer, the stepping back of stories in taller buildings, the need for the developer to seek City approval for any street closures or temporary blockage, and the fact that the City is not obligated to fund any street or utility improvements that are necessitated by increased demand resulting from the development. In addition, if during the final site plan stage street or utility improvements are needed but are not adequately funded, the final plan must be amended to eliminate the need for such improvements or be amended to a level at which improvements can be funded.

Since the project may be implemented in phases, studies may need to be updated regarding parking, utilities, and traffic in the discretion of the City for each phase. Traffic circulation within the PUD area needs to be addressed to the satisfaction of the City Traffic Engineer. The location of Building E and the open spaces around Building E need to be determined by agreement between

July 9, 2025

Page 2

# VARNUM

the developer and the City in order to make open space more prominent and to improve vehicular circulation throughout the site.

While I have provided a copy of the proposed amendment to the PUD ordinance, the only change that has been made to that document since it was provided to you at the June 2, 2025, meeting is to include the maximum height of each building. Accordingly, I have no comments to make on that document.

Earlier this year, Commissioner Skaggs asked if a document could be prepared showing the changes to the existing ordinance made by the ordinance amendment and the resolution. While that document was prepared, other items came up which resulted in that document not being thoroughly reviewed or discussed. We thought it would be helpful to update that document so that when you are comparing language from the existing ordinance to the proposed new ordinance or resolution you will understand the most recent version of what exists.

There are limited changes from the original draft. For example, the addition of phasing of buildings to Section 3(b) is added because Section 6(c) of the ordinance amendment changed that section. Similarly, Section 3(o) contained in the resolution has language dealing with how parking will also be built in phases. That language appears in the new document. Subsection 3(q) which is found in the resolution continues to be amended. This subsection deals primarily with the location of Building E. The updated language is now included in the summary document. The most significant changes are found in the conditions the Commission intends to make to the conditions received from the Planning Commission as well as eight additional conditions that the Commission may be adding. Accordingly, you will see a large section near the end of this revised agreement that shows all the language which has been added because of these conditions. The last couple of pages deal with more mundane issues such as the effective date and the notice that would need to be published in the newspaper if these documents are adopted.

I am hopeful that the highlighted documents will assist you in your review of the current provisions of the resolution and the ordinance amendment and how they impact the existing zoning ordinance. It does need to be noted that much of the language near the end of these documents needs to be approved by the Commission. There is no intention here to suggest that such approval has occurred. It is likely that some number of paragraphs may be modified or even eliminated during the Commission's review of the documents. We hope, however, that providing this language will focus the discussion and will expedite your review of these documents.

Very truly yours,

**VARNUM**



John M. Huff

JMH/hrh  
27618383.1

# PUD Ordinance Amendment – Clean

**AN ORDINANCE TO AMEND THE  
JADE PIG VENTURES PLANNED UNIT DEVELOPMENT**

**THE CITY OF EAST GRAND RAPIDS ORDAINS:**

**Section 1.** The Zoning Ordinance of the City of East Grand Rapids was amended by approval of the Jade Pig Ventures Planned Unit Development on October 18, 2004, which had an effective date of February 22, 2005 and was subsequently amended on February 15, 2008 (collectively the "Original Ordinance"). This Amendment does not change the zoning classification of the subject property but does contain changes to the previously approved concept plan and updates to align with the current terminology and other changes that have occurred since the Original Ordinance was enacted. This Amendment was adopted by the City of East Grand Rapids pursuant to the adoption Resolution of the City Commission on \_\_\_\_\_, 2025 that also approved the new Concept Plan (the "Adopting Resolution"). This Adopting Resolution is incorporated into this Amendment.

(a) Subsection 3(h) of the Original Ordinance is deleted since this issue will be addressed in the PUD agreement.

(b) Subsection 3(k) of the Original Ordinance is amended to refer to the preliminary PUD site plan as the concept plan.

(c) Subsection 3(p) of the Original Ordinance is deleted and amended in its entirety to read as follows:

(p) The Developer may construct up to 9 "Buildings" as shown on the concept plan. These buildings will contain a mix of residential uses, retail uses, and commercial uses, though some buildings may contain just one use. The maximum height of each building shall be as follows:

- i. Building C – four stories at 57' – 0"
- ii. Building D – five stories at 70' – 0"
- iii. Building E – five stories at 70' – 0"
- iv. Building F – four stories at 57' – 0"
- v. Building G – three stories at 40' – 0"
- vi. Building H – three stories at 40' – 0"

(d) Section 6 of the Original Ordinance is deleted and amended in its entirety to read as follows:

Section 6. PUD Expiration.

(a) Approval of the PUD concept plan by the city commission shall confer upon the applicant the right to proceed through the subsequent final planning phase for a period not to exceed two years from the date of approval. The city commission may for good cause approve one extension of up to one year, if requested by the applicant prior to the expiration of the original concept plan

approval. If application for final site approval for the PUD is not requested within this time period, the PUD concept plan shall automatically become null and void and all rights thereunder shall terminate. However, the PUD zoning shall remain in place unless a change is initiated by the City Commission.

(b) Construction shall commence on the project within one year of final plan approval unless an extension is granted in accordance with Section 5.51 of the Zoning Ordinance.

(c) If the development is proposed to be completed in more than one phase, a final site plan for each subsequent phase shall be submitted no later than three years from the date construction commences within the prior phase or three years from the date of formal approval of the prior phase if construction has not commenced. Failure to submit a final plan for a subsequent phase or commence construction for such phase within the required time frames or extension specified in Section 5.51 shall nullify the concept plan as to future phases but shall have no impact on previously constructed phases or phases that are under construction.

**Section 2. Effective Date.** This Amendment shall become effective upon receipt by the City of the Developer's written acceptance of approval of the PUD concept plan. In the event of a conflict or inconsistency between this Amendment and/or the Adopting Resolution and the Original Ordinance, the terms and conditions of this Amendment and/or the Adopting Resolution shall govern and control.

**Section 3. Notice of Adoption.** Notice of adoption of this Amendment shall be published within ten (10) days after its enactment by a publication of the following digest, summary, or statement of the purpose of the Amendment as provided Chapter VII, Section 7.5 of the Charter of the City of East Grand Rapids.

**NOTICE OF ADOPTION OF AMENDMENT BY THE CITY OF EAST GRAND RAPIDS:**

The purpose of this Amendment is to update the concept plan for the property located between Wealthy Street and Lakeside Drive in the City of East Grand Rapids. This Planned Unit Development allows a combination of commercial and retail uses, offices, residential condominiums, apartments, and townhouses with associated parking, and open space. The Amendment approves a revised concept plan for location of structures on the property and deals with the development and use of these structures including access and parking. Copies of the Amendment and copies of the approved concept plan and the resolution to approve amendment are available at the office of the City Clerk, 750 Lakeside Drive S.E., East Grand Rapids, Michigan during normal business hours.

City of East Grand Rapids

By \_\_\_\_\_  
Lori Parmenter  
City Clerk

27310502.2

# PUD Ordinance Amendment – Redlined

**AN ORDINANCE TO AMEND THE  
JADE PIG VENTURES PLANNED UNIT DEVELOPMENT**

**THE CITY OF EAST GRAND RAPIDS ORDAINS:**

**Section 1.** The Zoning Ordinance of the City of East Grand Rapids was amended by approval of the Jade Pig Ventures Planned Unit Development on October 18, 2004, which had an effective date of February 22, 2005 and was subsequently amended on February 15, 2008 (collectively the "Original Ordinance"). This Amendment does not change the zoning classification of the subject property but does contain changes to the previously approved concept plan and updates to align with the current terminology and other changes that have occurred since the Original Ordinance was enacted. This Amendment was adopted by the City of East Grand Rapids pursuant to the adoption Resolution of the City Commission on \_\_\_\_\_, 2025 that also approved the new Concept Plan (the "Adopting Resolution"). This Adopting Resolution is incorporated into this Amendment.

(a) Subsection 3(h) of the Original Ordinance is deleted since this issue will be addressed in the PUD agreement.

(b) Subsection 3(k) of the Original Ordinance is amended to refer to the preliminary PUD site plan as the concept plan.

(c) Subsection 3(p) of the Original Ordinance is deleted and amended in its entirety to read as follows:

(p) The Developer may construct up to 9 "Buildings" as shown on the concept plan. These buildings will contain a mix of residential uses, retail uses, and commercial uses, though some buildings may contain just one use. The maximum height of each building shall be as ~~shown on the approved concept~~ follows:

- [Building C – four stories at 57' – 0"](#)
- [Building D – five stories at 70' – 0"](#)
- [Building E – five stories at 70' – 0"](#)
- [Building F – four stories at 57' – 0"](#)
- [Building G – three stories at 40' – 0"](#)
- [Building H – three stories at 40' – 0"](#)

(d) Section 6 of the Original Ordinance is deleted and amended in its entirety to read as follows:

Section 6. PUD Expiration.

(a) Approval of the PUD concept plan by the city commission shall confer upon the applicant the right to proceed through the subsequent final planning phase for a period not to exceed two years from the date of approval. The city commission may for good cause approve one extension of up to one year, if requested by the applicant prior to the expiration of the original concept plan approval. If application for final site approval for the PUD is not requested within this time period, the PUD concept plan shall automatically become null and void and all rights thereunder shall terminate. However, the PUD zoning shall remain in place unless a change is initiated by the City Commission.

(b) Construction shall commence on the project within one year of final plan approval unless an extension is granted in accordance with Section 5.51 of the Zoning Ordinance.

(c) If the development is proposed to be completed in more than one phase, a final site plan for each subsequent phase shall be submitted no later than three years from the date construction commences within the prior phase or three years from the date of formal approval of the prior phase if construction has not commenced. Failure to submit a final plan for a subsequent phase or commence construction for such phase within the required time frames or extension specified in Section 5.51 shall nullify the concept plan as to future phases but shall have no impact on previously constructed phases or phases that are under construction.

**Section 2. Effective Date.** This Amendment shall become effective upon receipt by the City of the Developer's written acceptance of approval of the PUD concept plan. In the event of a conflict or inconsistency between this Amendment and/or the Adopting Resolution and the Original Ordinance, the terms and conditions of this Amendment and/or the Adopting Resolution shall govern and control.

**Section 3. Notice of Adoption.** Notice of adoption of this Amendment shall be published within ten (10) days after its enactment by a publication of the following digest, summary, or statement of the purpose of the Amendment as provided Chapter VII, Section 7.5 of the Charter of the City of East Grand Rapids.

**NOTICE OF ADOPTION OF AMENDMENT BY THE CITY OF EAST GRAND RAPIDS:**

The purpose of this Amendment is to update the concept plan for the property located between Wealthy Street and Lakeside Drive in the City of East Grand Rapids. This Planned Unit Development allows a combination of commercial and retail uses, offices, residential condominiums, apartments, and townhouses with associated parking, and open space. The Amendment approves a revised concept plan for location of structures on the property and deals with the development and use of these structures including access and parking. Copies of the Amendment and copies of the approved concept plan and the resolution to approve amendment are available at the office of the City Clerk, 750 Lakeside Drive S.E., East Grand Rapids, Michigan during normal business hours.

City of East Grand Rapids

By \_\_\_\_\_  
Lori Parmenter  
City Clerk

27310502.2

# PUD Resolution – Clean

**RESOLUTION TO APPROVE AN UPDATED CONCEPT PLAN TO  
JADE PIG VENTURES PLANNED UNIT DEVELOPMENT  
AND TO EXPLAIN IMPACT OF THE APPROVED CONCEPT PLAN ON THE  
ORIGINAL ORDINANCE**

The purpose of this Resolution is to approve an updated concept plan to the Jade Pig Ventures Planned Unit Development and to explain how the approved plan will interact with the terms of the Original Ordinance. A separate ordinance amendment is being approved to make minor changes to the Original Ordinance.

Whereas Gaslight Investors, L.L.C. has submitted as revised concept plan for the Jade Pig Ventures Planned Unit Development; and

Whereas numerous meetings and hearings have been held by the City Planning Commission and the City Commission;

Now therefore be it resolved by the City Commission of the City of East Grand Rapids that the Concept Plan dated \_\_\_\_\_, 2025 is hereby approved as provided below.

The Zoning Ordinance of the City of East Grand Rapids was amended by approval of the Jade Pig Ventures Planned Unit Development on October 18, 2004, which had an effective date of February 22, 2005 and was subsequently amended on February 15, 2008 (collectively the "Original Ordinance"). Jade Pig Ventures' interest in the real property which is covered by the Original Ordinance has been sold to a new entity, Gaslight Investors, L.L.C. Gaslight Investors, L.L.C. filed materials with the City of East Grand Rapids seeking certain modifications to the previously approved preliminary PUD plan. The City's Zoning Ordinance was completely restated by the adoption of a new Chapter 50 of the City Code containing the zoning code, which became effective on November 29, 2013. This new Zoning Ordinance changed the numbering of all sections dealing with Planned Unit Developments. The current provisions relating to Planned Unit Developments are found in Article VI, Sections 5.41 – 5.52. Except as noted, references will now be made to the new ordinance sections of the City Code. While the PUD provisions remain substantially similar to the previous provisions, there have been some wording changes which impact the Gaslight Investors, L.L.C. PUD. For example, the plan adopted in the original approval of the Jade Pig PUD was referred to as the "preliminary plan" and the previously approved preliminary plan is now referred to as the "concept plan". In the event of a conflict or inconsistency between the terms of this document and the Original Ordinance, (including conflicts or inconsistencies between the approved conceptual plan and any previously approved preliminary or final plan governing the subject property), then the terms of this document (including the approved conceptual plan), shall govern and control.

- 1. Section 1 of the Original Ordinance is changed as follows:**

The reference to Section 5.190 of the City Code in Section 1 now refers to Section 5.20. The date of the eight-page site plan is corrected to be September 7, 2004. All references to Jade Pig Ventures should now refer to Gaslight Investors, L.L.C.. All other provisions of Section 1 are accurate and are not modified.

**2. Section 3 of the Original Ordinance is changed as follows:**

Subsection 3(a) is updated to indicate that the preliminary site plan approved by the city commission, dated September 7, 2004, is now referred to as the concept plan. The concept plan is being updated by this document. Part of the area has already been constructed pursuant to the original plan. The final site plan for the remainder of the project will be consistent with the concepts illustrated in the approved concept plan. Compliance with the approved final site plan standards shall be a prerequisite to final approval of construction under the building permit to be issued by the City for the development and occupancy of new construction on the site.

Subsection 3(b) of the Original Ordinance remains substantially the same and is retained; provided however, the developer anticipates that the proposed project will be completed in phases. The boundaries of the phases and the phasing plan will be identified and considered for approval in final site plan review and the PUD agreement. Section 6(c) of the amended PUD Ordinance authorizes building in phases.

Subsection 3(c) of the Original Ordinance refers to items that were agreed upon in 2004. Any requirements of the nature of those previously contained in Section 3(c) that are relevant to the amended concept plan will be addressed in a PUD agreement that is part of final site plan approval.

Subsection 3(d) is changed to acknowledge that the commercial/retail buildings adjacent to Wealthy Street have been constructed and that the remainder of the proposed project is anticipated to be constructed in several phases. The boundaries of the phases and the phasing plan will be identified and considered in connection with final site plan review and the PUD agreement.

Subsection 3(f) is changed to acknowledge that the requirements of Section 3(f) were satisfied with respect to the portion of the PUD constructed in the initial phase of the project. The requirements of Section 3(f) are not relevant with respect to the future phases of the project; provided however, new specifications for streets, streetscape, lighting, and other details will be established in the final site plan and in the PUD agreement.

Subsection 3(i) applies to a drive-thru window which has already been constructed in the initial phase.

Subsection 3(j) is changed as the previously existing parking structure has been removed. A new parking structure is included in the approved concept plan and any conditions or restrictions on that structure will be addressed in final site plan approval and the PUD agreement.

Subsection 3(l) is changed to provide that the developer is to provide pedestrian access through the property in general locations identified for pedestrian access in the approved concept plan.

Subsection 3(m) is no longer relevant.

Subsection 3(n) is changed as follows:

(n) The Buildings located on the subject property shall be maintained to their as-built standards, reasonable wear and tear excepted. The Buildings are identified in subsection (p) below and shall be addressed in the PUD agreement and illustrated in the final site plan.

Subsection 3(o) is changed as follows:

(o) The parking requirements and the number of spaces shall be mutually agreed upon by Gaslight Investors, L.L.C. and the City Commission as part of the final site plan and PUD agreement. The agreement of the parties shall take into consideration any parking studies performed in conjunction with the final site plan. In the event the project is built in phases, each phase will provide sufficient parking as agreed upon by the City and Gaslight Investors. Upon the approval of each phase, the parking constructed will be sufficient to provide parking for all completed phases.

Subsection 3(q) is updated as follows:

(q) The Buildings identified as A and B in the approved concept plan have been established and are in the commercial area of the PUD along Wealthy Street. In the event that any or all of Buildings C and D are constructed, they may be used for any use that is allowed in the C-1 zoning district as set forth in Table 5.36 of the Zoning Ordinance. In the event that any or all of the Buildings F, G and H are constructed, they shall be used for residential uses as identified in the approved concept plan. In the event Building E is constructed, it may be used for any use that is allowed in the C-1 zoning district and for any or all residential uses on all levels as identified in the approved concept plan.

**3. Section 4 of the Original Ordinance is updated as follows:**

**Section 4. Enforcement.**

(a) The City may enforce the provisions of this Resolution, the continuing provisions of the Original Ordinance and applicable provisions of the Zoning Ordinance, Building Code, and other ordinances, laws and regulation to the extent and in any manner provided by law.

(b) All conditions contained in this Resolution shall be binding upon the Developer as well as its successors, tenants, and assigns.

**4. Section 5 of the Original Ordinance is updated as follows:**

**Section 5. Findings.** In 2004, the Planning Commission determined that the proposed project met the required standards contained in the City Code for site plan review and for planned unit development approval. While some details of the approved concept plan vary from the 2004 plan, the overall uses, scale, and relationships are in keeping with the previously approved concept. Therefore, the current Planning Commission and City Commission have determined that the revisions proposed to the development as illustrated in the approved concept plan dated \_\_\_\_\_ (attachment A) and described in the applicant's submittal (attachment B) meet the following Zoning Ordinance standards:

(a) All applicable provisions of Article VI Planned Unit Development of the Zoning Ordinance are met;

(b) The proposed PUD meets the intent of Article VI, as outlined in Section 5.41, through each of the following:

1. Providing for a mix of compatible uses and residential types,
2. Creating an innovative development in terms of variety, design, layout, and types of structures,
3. Facilitating a more efficient use of land and economic arrangement of buildings and uses,
4. Minimizing traffic impacts while accommodating safe and efficient pedestrian and bicycle access and circulation, and
5. Using the land where site conditions make development under conventional zoning difficult or less desirable.

(c) The qualifying conditions in § 5.42 are met, as follows:

1. The proposed development is under unified control.
2. The proposed development provides public benefits in several ways, including:

- a. Creating a mixed-use project combining residential and nonresidential uses and a variety of housing types,
- b. High quality design beyond the minimum ordinance requirements,
- c. Providing open space, plazas, and features,
- d. Efficiently consolidating irregularly shaped properties,
- e. Effectively transitioning from higher to lower density uses.

3. Uses along the perimeter of the property will be compatible with the use of adjacent property through screening, landscaping, and separation distances, as well as ensuring that all uses about nonresidential structures on adjacent property,

4. The development will be served by public water and sanitary sewer,

5. The proposed PUD is consistent with the City's 2018 Master Plan which advocates for diverse housing opportunities for new families, aging-in-place, and young professionals and adapting to changing retail and residential needs while retaining the City's character and walkability. The Plan also recognizes the proposed mixed-use development of the subject property as desirable.

(d) The standards of approval in § 5.49 are met, as follows:

1. The proposed PUD complies with the intent and all qualifying conditions of §§ 5.41 and 5.42 of Article VI, respectively, as stated in (b) and (c) above;

2. The uses conducted within the proposed PUD, the PUD's impact on the community and other aspects of the PUD are consistent with the City's Master Plan, as stated in (c)5 above;

3. The proposed PUD shall be designed, constructed, operated and maintained in a manner harmonious with the character of adjacent property, the surrounding uses of land, the natural environment and the capacity of public services and facilities affected by the development. Design, construction, and operation will be determined as part of the final site plan review and PUD agreement. However, the approved concept plan does illustrate sensitivity to the adjacent and surrounding uses, the natural environment, and the capacity of public services and facilities through the uses proposed, the arrangement of those uses, the accommodations for

both vehicular and non-motorized circulation, the availability of public spaces, and the utilization of public services within their capacity;

4. The PUD shall not change the essential character of the surrounding area. The proposed development is consistent with the range of uses in the surrounding area, including commercial, office, high density residential, mixed-use neighborhoods, and open spaces;

5. The PUD shall not be hazardous to adjacent property or involve uses, activities, materials or equipment which will be detrimental to the health, safety or welfare of persons or property through the excessive production of traffic, noise, smoke, fumes or glare. No hazardous uses or activities are proposed and the site is designed to mitigate traffic impacts and separate vehicular traffic from pedestrians and bicycles; and

6. The PUD shall not place demands on public services and facilities in excess of current or anticipated future capacity. All public services are available and capable of fully serving the proposed development.

(e) The commission determined that the height of the buildings for the PUD may exceed the normally prescribed height limitations because such increased height allows for desirable public spaces and plazas, more vibrant streetscaping and activity, extensive provisions for pedestrians and non-motorized traffic, high quality architectural design, and innovative mixed-use development to complement the current gaslight village district and support the goals of the City Master Plan. Such usage and design amenities would not be achievable under a more conventional development or under the current Zoning Ordinance requirements.

On November 12, 2024 the East Grand Rapid planning commission recommended approval of the concept plan with the following conditions:

1. A comprehensive traffic, pedestrian, bicycle and mobility study to address to the City's satisfaction vehicle, bicycle, and foot traffic for the site during the high traffic season.
2. Physical traffic (vehicle) counts at active times.
3. A review of the traffic study by city staff to verify its accuracy.
4. An analysis of delivery truck accessibility.
5. An analysis of full utility capacity for stormwater management pursuant to Chapter 28 of the city code, with a priority for natural based solutions.

6. An impact assessment for sanitary sewer, storm sewer, and water system utilities that is acceptable to the city.
7. A “shade study” to evaluate the effects of building massing on neighboring properties (note that this was requested when the proposed building height was 94 feet).
8. An environmental assessment satisfactory to the city for proposed and historical uses.
9. A fiscal impact study demonstrating financial feasibility for the development and Gaslight Village as a whole.
10. Parking analysis with a balanced solution.

Because of the nature of most of these studies, they need to be completed and reviewed based on the parameters imposed by an approved concept plan. Upon approval of the concept plan, the applicant can confidently proceed with the studies using actual specifications rather than numbers subject to change before a concept plan is actually approved (e.g., residential units, density, height, square footage). Language will need to be included in the final site plan documents and/or the PUD agreement to confirm that each of these conditions were met to the City's satisfaction, including the contents of all studies, and modifications were made to the final plan, if needed, based on the applicable study results.

The East Grand Rapids City Commission hereby makes the following modifications to some of the conditions submitted by the planning commission as well as adding some additional conditions.

Condition number one suggested by the planning commission shall be restated to read as follows: A comprehensive traffic, pedestrian, bicycle, and mobility study to evaluate the extent of and potential conflicts between vehicle, bicycle, and foot traffic for the site during the high traffic season and to suggest solutions to the city. Such solutions shall take into consideration traffic issues and determine the division of cost-sharing for all required infrastructure updates. This study shall include intersections outside the immediate PUD area including Lakeside and Robinson, Lake Drive and Breton, Lake Drive and Bagley/San Lu Rae, Wealthy and Lakeside, and Wealthy and Lovett. Traffic and mobility issues shall be addressed to the satisfaction of the City traffic engineer.

Condition number three suggested by the planning commission shall be restated to read as follows: A review of the traffic study by city staff or a city chosen third-party consultant to verify its accuracy.

Condition number six suggested by the planning commission shall be restated to read as follows: An impact assessment for sanitary sewer, storm water, and water system utilities, including the impact of runoff from surface parking lots. Any necessary

mitigation shown by such studies shall be taken into consideration. Priority shall be given to natural based solutions in accordance with applicable laws and regulations.

In light of the reduced height of the tallest building contained in the concept plan by over twenty feet, planning commission condition number seven regarding a shade study is unnecessary.

Condition number eight suggested by the planning commission shall be restated to read as follows: An environmental assessment satisfactory to the city for proposed uses. Any necessary mitigation shall be taken into consideration.

Condition number nine suggested by the planning commission shall be restated to read as follows: A fiscal impact study demonstrating financial feasibility for the development.

Condition number ten suggested by the planning commission shall be restated to read as follows: A parking analysis with possible shared solutions. These parking solutions shall be subject to the provisions of section 3(o).

In addition to these modifications of the planning commission conditions, the city commission adds the following additional conditions:

1. Any private streets and sidewalks constructed by the developer shall be built to standards approved by the City. The private streets shall be maintained to City standards, including snow removal on streets/sidewalks. Obstructions that may be allowed on any sidewalk shall be in accordance with existing City ordinances, regulations, and policies.
2. The upper floors of buildings in excess of three stories shall be stepped back from the lower floors.
3. Developer/Owner must apply for the closure of private streets so as to limit the impact upon vehicular traffic. Private street closures and temporary blockage shall be permitted in accordance with City ordinances, regulations, and policies.
4. The City is not obligated to fund any improvements to streets or utilities necessitated by increased demand resulting from the development. This condition does not preclude the City from voluntarily funding any improvements.
5. During the final plan review stage, if street or utility improvements are determined to be needed, as specified in condition 4, and are not appropriately funded, the final plan must be amended to eliminate the need for such improvements or amended to a level at which the improvements can be funded. This condition does not preclude the City from voluntarily funding any improvements.

6. Development of the project in phases may require updates to studies related to parking, utilities, and traffic. Such updates may be required at each phase at the discretion of the City.
7. Traffic circulation within the PUD area shall be addressed to the satisfaction of the City traffic engineer.
8. The locations of Building E and the open space around that building, as shown on the attached illustration, shall be adjusted to a mutually agreed upon location within this area in the final site plan and PUD agreement for the 2255 Wealthy Street parcel. This agreement should make the open space a more prominent site feature and improve vehicular circulation through the site.

The Planning Commission may recommend and the City Commission may require that the final PUD plan and/or the PUD agreement shall include such modifications or improvements recommended by the relevant studies and such other requirements related to the standards of approval.

27310417.1

# PUD Resolution – Redlined

**RESOLUTION TO APPROVE AN UPDATED CONCEPT PLAN TO  
JADE PIG VENTURES PLANNED UNIT DEVELOPMENT  
AND TO EXPLAIN IMPACT OF THE APPROVED CONCEPT PLAN ON THE  
ORIGINAL ORDINANCE**

The purpose of this Resolution is to approve an updated concept plan to the Jade Pig Ventures Planned Unit Development and to explain how the approved plan will interact with the terms of the Original Ordinance. A separate ordinance amendment is being approved to make minor changes to the Original Ordinance.

Whereas Gaslight Investors, L.L.C. has submitted as revised concept plan for the Jade Pig Ventures Planned Unit Development; and

Whereas numerous meetings and hearings have been held by the City Planning Commission and the City Commission;

Now therefore be it resolved by the City Commission of the City of East Grand Rapids that the Concept Plan dated \_\_\_\_\_, 2025 is hereby approved as provided below.

The Zoning Ordinance of the City of East Grand Rapids was amended by approval of the Jade Pig Ventures Planned Unit Development on October 18, 2004, which had an effective date of February 22, 2005 and was subsequently amended on February 15, 2008 (collectively the "Original Ordinance"). Jade Pig Ventures' interest in the real property which is covered by the Original Ordinance has been ~~transferred~~sold to a new entity, Gaslight Investors, L.L.C. Gaslight Investors, L.L.C. filed materials with the City of East Grand Rapids seeking certain modifications to the previously approved preliminary PUD plan. The City's Zoning Ordinance was completely restated by the adoption of a new Chapter 50 of the City Code containing the zoning code, which became effective on November 29, 2013. This new Zoning Ordinance changed the numbering of all sections dealing with Planned Unit Developments. The current provisions relating to Planned Unit Developments are found in Article VI, Sections 5.41 – 5.52. Except as noted, references will now be made to the new ordinance sections of the City Code. While the PUD provisions remain substantially similar to the previous provisions, there have been some wording changes which impact the Gaslight Investors, L.L.C. PUD. For example, the plan adopted in the original approval of the Jade Pig PUD was referred to as the "preliminary plan" and the previously approved preliminary plan is now referred to as the "concept plan". In the event of a conflict or inconsistency between the terms of this document and the Original Ordinance, (including conflicts or inconsistencies between the approved conceptual plan and any previously approved preliminary or final plan governing the subject property), then the terms of this document (including the approved conceptual plan), shall govern and control.

- 1. Section 1 of the Original Ordinance is changed as follows:**

The reference to Section 5.190 of the City Code in Section 1 now refers to Section 5.20. The date of the eight-page site plan is corrected to be September 7, 2004. All references to Jade Pig Ventures should now refer to Gaslight Investors, L.L.C.. All other provisions of Section 1 are accurate and are not modified.

**2. Section 3 of the Original Ordinance is changed as follows:**

Subsection 3(a) is updated to indicate that the preliminary site plan approved by the city commission, dated September 7, 2004, is now referred to as the concept plan. The concept plan is being updated by this document. Part of the area has already been constructed pursuant to the original plan. The final site plan for the remainder of the project will be consistent with the concepts illustrated in the approved concept plan. Compliance with the approved final site plan standards shall be a prerequisite to final approval of construction under the building permit to be issued by the City for the development and occupancy of new construction on the site.

Subsection 3(b) of the Original Ordinance remains substantially the same and is retained; provided however, the developer anticipates that the proposed project will be completed in phases. The boundaries of the phases and the phasing plan will be identified and considered for approval in final site plan review and the PUD agreement. [Section 6\(c\) of the amended PUD Ordinance authorizes building in phases.](#)

Subsection 3(c) of the Original Ordinance refers to items that were agreed upon in 2004. Any requirements of the nature of those previously contained in Section 3(c) that are relevant to the amended concept plan will be addressed in a PUD agreement that is part of final site plan approval.

Subsection 3(d) is changed to acknowledge that the commercial/retail buildings adjacent to Wealthy Street have been constructed and that the remainder of the proposed project is anticipated to be constructed in several phases. The boundaries of the phases and the phasing plan will be identified and considered in connection with final site plan review and the PUD agreement.

Subsection 3(f) is changed to acknowledge that the requirements of Section 3(f) were satisfied with respect to the portion of the PUD constructed in the initial phase of the project. The requirements of Section 3(f) are not relevant with respect to the future phases of the project; provided however, new specifications for streets, streetscape, lighting, and other details will be established in the final site plan and in the PUD agreement.

Subsection 3(i) applies to a drive-thru window which has already been constructed in the initial phase.

Subsection 3(j) is changed as the previously existing parking structure has been removed. A new parking structure is included in the approved concept plan and any conditions or restrictions on that structure will be addressed in final site plan approval and the PUD agreement.

Subsection 3(l) is changed to provide that the developer is to provide pedestrian access through the property in general locations identified for pedestrian access in the approved concept plan.

Subsection 3(m) is no longer relevant.

Subsection 3(n) is changed as follows:

(n) The Buildings located on the subject property shall be maintained to their as-built standards, reasonable wear and tear excepted. The Buildings are identified in subsection (p) below and shall be addressed in the PUD agreement and illustrated in the final site plan.

Subsection 3(o) is changed as follows:

(o) The parking requirements and the number of spaces shall be mutually agreed upon by Gaslight Investors, L.L.C. and the City Commission as part of the final site plan and PUD agreement. The agreement of the parties shall take into consideration any parking studies performed in conjunction with the final site plan. In the event the project is built in phases, each phase will provide sufficient parking as agreed upon by the City and Gaslight Investors. Upon the approval of each phase, the parking constructed will be sufficient to provide parking for all completed phases.

Subsection 3(q) is updated as follows:

(q) The Buildings identified as A and B in the approved concept plan have been established and are in the commercial area of the PUD along Wealthy Street. ~~As such, they may contain offices, but no such offices shall be located on any ground floor space except as provided in the Zoning Ordinance.~~ In the event that any or all of Buildings C and D ~~and/or E~~ are constructed, they may be used for any use that is allowed in the C-1 zoning district as set forth in Table 5.36 of the Zoning Ordinance. In the event that any or all of the Buildings ~~identified as~~ F, G and ~~or~~ H are constructed, they shall be used for ~~the residential~~ uses as identified in the approved concept plan. In the event Building E is constructed, it may be used for any use that is allowed in the C-1 zoning district and for any or all residential uses on all levels as identified in the approved concept plan.

**3. Section 4 of the Original Ordinance is updated as follows:**

**Section 4. Enforcement.**

(a) The City may enforce the provisions of this Resolution, the continuing provisions of the Original Ordinance and applicable provisions of the Zoning Ordinance, Building Code, and other ordinances, laws and regulation to the extent and in any manner provided by law.

(b) All conditions contained in this Resolution shall be binding upon the Developer as well as its successors, tenants, and assigns.

**4. Section 5 of the Original Ordinance is updated as follows:**

**Section 5. Findings.** In 2004, the Planning Commission determined that the proposed project met the required standards contained in the City Code for site plan review and for planned unit development approval. While some details of the approved concept plan vary from the 2004 plan, the overall uses, scale, and relationships are in keeping with the previously approved concept. Therefore, the current Planning Commission and City Commission have determined that the revisions proposed to the development as illustrated in the approved concept plan dated \_\_\_\_\_ (attachment A) and described in the applicant's submittal (attachment B) meet the following Zoning Ordinance standards:

(a) All applicable provisions of Article VI Planned Unit Development of the Zoning Ordinance are met;

(b) The proposed PUD meets the intent of Article VI, as outlined in Section 5.41, through each of the following:

1. Providing for a mix of compatible uses and residential types,
2. Creating an innovative development in terms of variety, design, layout, and types of structures,
3. Facilitating a more efficient use of land and economic arrangement of buildings and uses,
4. Minimizing traffic impacts while accommodating safe and efficient pedestrian and bicycle access and circulation, and
5. Using the land where site conditions make development under conventional zoning difficult or less desirable.

(c) The qualifying conditions in § 5.42 are met, as follows:

1. The proposed development is under unified control.
2. The proposed development provides public benefits in several ways, including:

- a. Creating a mixed-use project combining residential and nonresidential uses and a variety of housing types,
- b. High quality design beyond the minimum ordinance requirements,
- c. Providing open space, ~~and public~~ plazas, and features,
- d. Efficiently consolidating irregularly shaped properties,
- e. Effectively transitioning from higher to lower density uses.

3. Uses along the perimeter of the property will be compatible with the use of adjacent property through screening, landscaping, and separation distances, as well as ensuring that all uses about nonresidential structures on adjacent property,

4. The development will be served by public water and sanitary sewer,

5. The proposed PUD is consistent with the City's 2018 Master Plan which advocates for diverse housing opportunities for new families, aging-in-place, and young professionals and adapting to changing retail and residential needs while retaining the City's character and walkability. The Plan also recognizes the proposed mixed-use development of the subject property as desirable.

(d) The standards of approval in § 5.49 are met, as follows:

1. The proposed PUD complies with the intent and all qualifying conditions of §§ 5.41 and 5.42 of Article VI, respectively, as stated in (b) and (c) above;

2. The uses conducted within the proposed PUD, the PUD's impact on the community and other aspects of the PUD are consistent with the City's Master Plan, as stated in (c)5 above;

3. The proposed PUD shall be designed, constructed, operated and maintained in a manner harmonious with the character of adjacent property, the surrounding uses of land, the natural environment and the capacity of public services and facilities affected by the development. Design, construction, and operation will be determined as part of the final site plan review and PUD agreement. However, the approved concept plan does illustrate sensitivity to the adjacent and surrounding uses, the natural environment, and the capacity of public services and facilities through the uses proposed, the arrangement of those uses, the accommodations for

both vehicular and non-motorized circulation, the availability of public spaces, and the utilization of public services within their capacity;

4. The PUD shall not change the essential character of the surrounding area. The proposed development is consistent with the range of uses in the surrounding area, including commercial, office, high density residential, mixed-use neighborhoods, and public open spaces;

5. The PUD shall not be hazardous to adjacent property or involve uses, activities, materials or equipment which will be detrimental to the health, safety or welfare of persons or property through the excessive production of traffic, noise, smoke, fumes or glare. No hazardous uses or activities are proposed and the site is designed to mitigate traffic impacts and separate vehicular traffic from pedestrians and bicycles; and

6. The PUD shall not place demands on public services and facilities in excess of current or anticipated future capacity. All public services are available and capable of fully serving the proposed development.

(e) The commission determined that the height of the buildings for the PUD may exceed the normally prescribed height limitations because such increased height allows for desirable public spaces and plazas, more vibrant streetscaping and activity, extensive provisions for pedestrians and non-motorized traffic, high quality architectural design, and innovative mixed-use development to complement the current gaslight village district and support the goals of the City Master Plan. Such usage and design amenities would not be achievable under a more conventional development or under the current Zoning Ordinance requirements.

On November 12, 2024 the East Grand Rapid planning commission recommended approval of the concept plan with the following conditions:

1. A comprehensive traffic, pedestrian, bicycle and mobility study to address to the City's satisfaction vehicle, bicycle, and foot traffic for the site during the high traffic season.
2. Physical traffic (vehicle) counts at active times.
3. A review of the traffic study by city staff to verify its accuracy.
4. An analysis of delivery truck accessibility.
5. An analysis of full utility capacity for stormwater management pursuant to Chapter 28 of the city code, with a priority for natural based solutions.

6. An impact assessment for sanitary sewer, storm sewer, and water system utilities that is acceptable to the city.
7. A “shade study” to evaluate the effects of building massing on neighboring properties (note that this was requested when the proposed building height was 94 feet).
8. An environmental assessment satisfactory to the city for proposed and historical uses.
9. A fiscal impact study demonstrating financial feasibility for the development and Gaslight Village as a whole.
10. Parking analysis with a balanced solution.

Because of the nature of most of these studies, they need to be completed and reviewed based on the parameters imposed by an approved concept plan. Upon approval of the concept plan, the applicant can confidently proceed with the studies using actual specifications rather than numbers subject to change before a concept plan is actually approved (e.g., residential units, density, height, square footage). Language will need to be included in the final site plan documents and/or the PUD agreement to confirm that each of these conditions were met to the City's satisfaction, including the contents of all studies, and modifications were made to the final plan, if needed, based on the applicable study results.

The East Grand Rapids City Commission hereby makes the following modifications to some of the conditions submitted by the planning commission as well as adding some additional conditions.

Condition number one suggested by the planning commission shall be restated to read as follows: A comprehensive traffic, pedestrian, bicycle, and mobility study to evaluate the extent of and potential conflicts between vehicle, bicycle, and foot traffic for the site during the high traffic season and to suggest solutions to the city. Such solutions shall take into consideration traffic issues and determine the division of cost-sharing for all required infrastructure updates. This study shall include intersections outside the immediate PUD area including Lakeside and Robinson, Lake Drive and Breton, Lake Drive and Bagley/San Lu Rae, Wealthy and Lakeside, and Wealthy and Lovett. [Traffic and mobility issues shall be addressed to the satisfaction of the City traffic engineer.](#)

Condition number three suggested by the planning commission shall be restated to read as follows: A review of the traffic study by city staff or a [city chosen](#) third-party consultant to verify its accuracy.

Condition number six suggested by the planning commission shall be restated to read as follows: An impact assessment for sanitary sewer, storm water, and water system utilities, including the impact of runoff from surface parking lots. Any necessary

mitigation shown by such studies shall be taken into consideration. Priority shall be given to natural based solutions in accordance with applicable laws and regulations.

In light of the reduced height of the tallest building contained in the concept plan by over twenty feet, planning commission condition number seven regarding a shade study is unnecessary.

Condition number nine suggested by the planning commission shall be restated to read as follows: A fiscal impact study demonstrating financial feasibility for the development.

Condition number eight suggested by the planning commission shall be restated to read as follows: An environmental assessment satisfactory to the city for proposed uses. Any necessary mitigation shall be taken into consideration.

Condition number ten suggested by the planning commission shall be restated to read as follows: A parking analysis with possible shared solutions. ~~with a preference for parking solutions peripheral to the development with pervious surfaces.~~ These parking solutions shall be subject to the provisions of section 3(o).

In addition to these modifications of the planning commission conditions, the city commission adds the following additional conditions:

1. Any private streets and sidewalks constructed by the developer shall ~~meet the City's current street and sidewalk requirements for both the materials used to construct the streets and sidewalks, the widths of such streets and sidewalks (except where differing widths are acceptable to the City), and the obstructions that may be allowed on any sidewalks.~~ be built to standards approved by the City. The private streets shall be maintained to City standards, including snow removal on streets/sidewalks. Obstructions that may be allowed on any sidewalk shall be in accordance with existing City ordinances, regulations, and policies.
2. The upper floors of buildings in excess of three stories shall be stepped back from the lower floors.
3. ~~Limits on~~ Developer/Owner must apply for the closure of private streets ~~shall be included~~ so as to limit the impact upon vehicular traffic. Private street closures and temporary blockage shall be permitted in accordance with City ordinances, regulations, and policies.
4. The City is not obligated to fund any improvements to streets or utilities necessitated by increased demand resulting from the development. This condition does not preclude the City from voluntarily funding any improvements.

5. During the final plan review stage, if street or utility improvements are determined to be needed, as specified in condition 4, and are not appropriately funded, the final plan must be amended to eliminate the need for such improvements or amended to a level at which the improvements can be funded. This condition does not preclude the City from voluntarily funding any improvements.
6. Development of the project in phases may require updates to studies related to parking, utilities, and traffic. Such updates may be required at each phase at the discretion of the City.
7. Traffic circulation within the PUD area shall be addressed to the satisfaction of the City traffic engineer.
8. The locations of Building E and the open space around that building, as shown on the attached illustration, shall be adjusted to a mutually agreed upon location within this area in the final site plan and PUD agreement for the 2255 Wealthy Street parcel. This agreement should make the open space a more prominent site feature and improve vehicular circulation through the site.

The Planning Commission may recommend and the City Commission may require that the final PUD plan and/or the PUD agreement shall include such modifications or improvements recommended by the relevant studies and such other requirements related to the standards of approval.

27500380.2

Comparison to original ordinance –  
Clean

**AN ORDINANCE TO AMEND THE ZONING  
ORDINANCE AND ZONING MAP OF THE CITY OF  
EAST GRAND RAPIDS TO ESTABLISH THE JADE PIG  
VENTURES PLANNED UNIT DEVELOPMENT**

**THE CITY OF EAST GRAND RAPIDS ORDAINS:**

Section 1. Planned Unit Development. The Zoning Ordinance of the City of East Grand Rapids is hereby amended by the amendment of Section 5.190 thereof (the zoning map) so as to rezone the lands described on Exhibit A (the “Property”) from C1 Commercial and B1 Apartment to the Planned Unit Development (PUD) district in accordance with the preliminary 8-page site plan of September 7, 2009, submitted by Jade Pig Ventures – EGR, L.L.C. and Jade Pig Ventures – Ramona, L.L.C. (jointly, the “Developer”) (Exhibit B) subject to all of the terms and conditions of this Ordinance.

- The reference to Section 5.190 of the City Code in Section 1 now refers to Section 5.20. The date of the eight-page site plan is corrected to be September 7, 2004. All references to Jade Pig Ventures should now refer to Gaslight Investors, L.L.C. All other provisions of Section 1 are accurate and are not modified.

Section 2. Purpose. The proposed development includes a combination of commercial and retail uses, offices, residential condominiums with associated parking, and open space. The planned unit development zoning has been chosen to provide for more control over mixed uses, aesthetics, maintenance, and appearance. The regulations contained herein are established to define the procedures necessary to ensure high quality development, maintenance, and usage within the Property. Additionally, they are designed to achieve integration of this development with adjacent land uses.

Section 3. Conditions on the Planned Unit Development. The rezoning of the Property to the PUD district is expressly subject to all of the following terms and conditions (the project as approved herein shall hereafter be the “Development”):

- (a) The Development is approved in accordance with the preliminary PUD site plan. The preliminary PUD site plan approved by the City Commission is dated September 7, 2004. In accordance with the City Code, approval of a final PUD site plan will be necessary prior to commencement of any construction on the Property. The final site plan needs to be generally consistent with the concepts illustrated in the approved preliminary site plan, including building design. Complete compliance with the approved final site plan shall be a prerequisite to final approval of construction under the building permit to be issued by the City for the Development and to the occupancy of the units.

- Subsection 3(a) is updated to indicate that the preliminary site plan approved by the city commission, dated September 7, 2004, is now referred to as the concept plan. The concept plan is being updated by this document. Part of the area has already been constructed pursuant to the original plan. The final site plan for the remainder of the project will be consistent with the concepts illustrated in the approved concept plan. Compliance with the approved final site plan standards shall be a prerequisite to final approval of construction under the building permit to be issued by the City for the development and occupancy of new construction on the site.

(b) The Developer shall submit to the City for review and approval all plans required by the City's Building Code or other ordinances, including, but not limited to, drainage, sanitary sewer, water service, foundation and other subsurface structure plans, prior to the commencement of any construction. The Developer shall, if requested by the City Commission, supply a cash deposit, certified check, irrevocable bank letter of credit, or surety bond acceptable to the City pursuant to MCLA 125.584(e) covering the estimated costs of implementing the approved landscaping plan, to ensure completion of the roadways, lighting, utilities, sidewalks, screening, and drainage, and to finish all excavation work. The City Commission shall determine the amount of security required. In making this determination, the City Commission shall recognize that this project may be developed in stages pursuant to Section 3(d).

- Subsection 3(b) of the Original Ordinance remains substantially the same and is retained; provided however, the developer anticipates that the proposed project will be completed in phases. The boundaries of the phases and the phasing plan will be identified and considered for approval in final site plan review and the PUD agreement. Section 6(c) of the amended PUD Ordinance authorizes building in phases.

(c) In order to facilitate traffic flow in and out of the Development and to minimize the impact of traffic from the Development on surrounding city streets, certain road and intersection improvements will likely be installed by the City. The Developer will contribute \$100,000.00 toward these various road and intersection improvements. These improvements will occur on streets that surround the Property or that are impacted by the development of the Property. The Developer acknowledges that these planned improvements, including the improvement of the intersection of Lakeside Drive and Greenwood, will benefit the Property by improving the flow of traffic on and about the Property.

- Subsection 3(c) of the Original Ordinance refers to items that were agreed upon in 2004. Any requirements of the nature of those previously contained in Section 3(c) that are relevant to the amended concept plan will be addressed in a PUD agreement that is part of final site plan approval.

(d) The Commission recognizes the Developer may want to construct the PUD in phases. The commercial/retail buildings adjacent to Wealthy Street shall be completed first. The Developer may construct the remaining residential buildings in whatever order it desires. A final site plan shall be approved for each phase. Each site plan shall be complete for that phase including off-site items such as access and utilities.

- Subsection 3(d) is changed to acknowledge that the commercial/retail buildings adjacent to Wealthy Street have been constructed and that the remainder of the proposed project is anticipated to be constructed in several phases. The boundaries of the phases and the phasing plan will be identified and considered in connection with final site plan review and the PUD agreement.

(e) All utilities shall be located underground and shall be installed and maintained according to the approved utilities plan.

- No changes.

(f) The Developer will implement the portion of the City's "streetscape" plan immediately adjacent to the Property from the front of the buildings to the curb line on Wealthy Street (including City-owned property located there), in accordance with the overall streetscape plan being implemented by the City. Improvements will include sidewalks, curbs, lighting, benches, planters, receptacles, and landscaping called for in the Wealthy Streetscape Plan. The streetscape design shall be consistent with the City's design plan that will be available prior to the commencement of construction. The Developer will contribute \$175,000 toward those improvements immediately adjacent to the Property. The Developer acknowledges that these streetscape improvements immediately adjacent to the Property will enhance its use and attractiveness.

- Subsection 3(f) is changed to acknowledge that the requirements of Section 3(f) were satisfied with respect to the portion of the PUD constructed in the initial phase of the project. The requirements of Section 3(f) are not relevant with respect to the future phases of the project; provided however, new specifications for streets, streetscape, lighting, and other details will be established in the final site plan and in the PUD agreement.

(g) Any rooftop heating, ventilation, air conditioning or other mechanical structures shall be completely screened from view from the street and neighboring properties outside the PUD through placement and building design.

(h) Subsection (h) is reserved. Contents deleted.

(i) The drive-through shown on the preliminary site plan is to be for bank use only, not restaurant, pharmacy, or other use. The drive through, including any canopy and accessory structures, shall be integrated with the building design.

- Subsection 3(i) applies to a drive-thru window which has already been constructed in the initial phase.

(j) Any limitations or restrictions on parking spaces, other than barrier free spaces and reasonable controls to assure parking only by Property users, including reserved spaces, must be identified on the final site plan and approved by the City. The parking structure must be retained and maintained in order to meet parking requirements. The Developer will make the parking structure available for events such as high school sporting events or concerts, consistent with Property owners and tenants needs for parking.

- Subsection 3(j) is changed as the previously existing parking structure has been removed. A new parking structure is included in the approved concept plan and any conditions or restrictions on that structure will be addressed in final site plan approval and the PUD agreement.

(k) The final site plan shall be materially consistent in character with the concept plan, and shall provide detail to demonstrate how views from adjacent uses will be improved through landscaping and architectural details.

- Refers to concept plan.

(l) The Developer shall provide pedestrian access for the public through the Property and attempt to obtain a pedestrian easement along the west side of the parking structure to facilitate this access. If this easement is not obtained, the Developer shall include in the PUD site plan an alternate method of providing pedestrian access for the public through the residential portion of the PUD to the parking deck (as shown on Exhibit C). The Developer shall construct such access when the appropriate phase of the Development is implemented and after such access is constructed the public shall be allowed to walk from such access through the parking deck to reach the commercial, retail, and office elements of the PUD. The Developer may terminate this public access to the parking deck should the Developer later obtain the pedestrian easement along the west side of the parking structure or otherwise provide public access approved by the City. The Developer shall also provide a pedestrian entrance for the public on the west side of the PUD from the Property to the current D&W site.

- Subsection 3(l) is changed to provide that the developer is to provide pedestrian access through the property in general locations identified for pedestrian access in the approved concept plan.

(m) An access easement (as illustrated on Exhibit D) shall be reserved in front of the parking structure to the Property to the west that would allow a vehicular connection in the future, if the adjacent Property is redeveloped and if, as part of the redevelopment, a public street is extended through the adjacent property between Wealthy Street and Lakeside Drive and the adjacent property owner provides an easement across its property from the Property to the public street. Development of the access easement for vehicular

traffic need only be implemented if such connection is determined by the City to be beneficial for traffic circulation.

- Subsection 3(m) is no longer relevant.

(n) The following facilities located on the Property shall be maintained to their as-built standards, reasonable wear and tear excepted: on-site landscaping, lighting, signs, pavement markings, paving, stormwater facilities, and other on-site structures.

- The Buildings located on the subject property shall be maintained to their as-built standards, reasonable wear and tear excepted. The Buildings are identified in subsection (p) below and shall be addressed in the PUD agreement and illustrated in the final site plan.

(o) In consideration for the parking requirement of 687 spaces, the size of each of the respective uses shall not exceed the Square Foot Limitation shown on Exhibit E without approval by the City Commission based upon a finding that on-site parking for all uses is adequate and that on-site parking for the increase in size of any of the uses will also be adequate. Such approval shall follow a review and recommendation by the Planning Commission.

- The parking requirements and the number of spaces shall be mutually agreed upon by Gaslight Investors, L.L.C. and the City Commission as part of the final site plan and PUD agreement. The agreement of the parties shall take into consideration any parking studies performed in conjunction with the final site plan. In the event the project is built in phases, each phase will provide sufficient parking as agreed upon by the City and Gaslight Investors. Upon the approval of each phase, the parking constructed will be sufficient to provide parking for all completed phases.

(p) The Developer may construct up to 9 "Buildings" as shown on the concept plan. These buildings will contain a mix of residential uses, retail uses, and commercial uses, though some buildings may contain just one use. The maximum height of each building shall be as follows:

- Building C – four stories at 57' – 0"
- Building D – five stories at 70' – 0"
- Building E – five stories at 70' – 0"
- Building F – four stories at 57' – 0"
- Building G – three stories at 40' – 0"
- Building H – three stories at 40' – 0"

- Number of buildings increased. Other provisions moved to the PUD agreement.

(q) Within the commercial area of the PUD, all first floor space in Building 1 and Building 2A shall be used for permitted C-1 uses other than business or professional offices and ancillary group uses. Business and professional offices shall be located on the second floor of Buildings 1 and 2A. All other C-1 uses are also permitted on second floor of Building 1 and Building 2A other than ancillary group uses. While Building 2B uses are contemplated to be primarily medical offices or retail space related to medical offices and Building 2C is contemplated to be occupied by a bank or other financial organization, any use permitted in the C-1 zone is approved for those buildings other than ancillary group uses. In addition, business or professional offices are not permitted in the first floor of Building 2C. Developer will use its best efforts to utilize the bank façade it has acquired on the front of Building 2C if such use is commercially reasonable. Nonresidential portions of the first floor of Building 3 shall be used for permitted C-1 uses other than ancillary group uses, including a fitness center. While this paragraph specifies allowed uses in specific buildings, this paragraph is subject to the conditions of Section 3(o) (and Exhibit E) that only specified uses are allowed without additional review and approval for parking space compliance.

- The Buildings identified as A and B in the approved concept plan have been established and are in the commercial area of the PUD along Wealthy Street. In the event that any or all of Buildings C and D are constructed, they may be used for any use that is allowed in the C-1 zoning district as set forth in Table 5.36 of the Zoning Ordinance. In the event that any or all of the Buildings F, G and H are constructed, they shall be used for residential uses as identified in the approved concept plan. In the event Building E is constructed, it may be used for any use that is allowed in the C-1 zoning district and for any or all residential uses on all levels as identified in the approved concept plan.

#### Section 4. Enforcement.

(a) The City may enforce the provisions of this Resolution, the continuing provisions of the Original Ordinance and applicable provisions of the Zoning Ordinance, Building Code, and other ordinances, laws and regulations to the extent and in any manner provided by law.

(b) All conditions contained in this Resolution shall be binding upon the Developer as well as its successors, tenants, and assigns.

- Subsection (c) deleted with provisions being moved to the PUD agreement and/or final site plan documents.

Section 5. Findings. In 2004, the Planning Commission determined that the proposed project met the required standards contained in the City Code for site plan review and for planned unit development approval. While some details of the approved concept plan vary from the 2004 plan, the overall uses, scale, and relationships are in keeping with the previously approved concept. Therefore, the current Planning Commission and City Commission have determined that the revisions proposed to the development as illustrated in the approved concept plan dated \_\_\_\_\_ (attachment A) and described in the applicant's submittal (attachment B) meet the following Zoning Ordinance standards:

(a) All applicable provisions of Article VI Planned Unit Development of the Zoning Ordinance are met;

(b) The proposed PUD meets the intent of Article VI, as outlined in Section 5.41, through each of the following:

1. Providing for a mix of compatible uses and residential types,
2. Creating an innovative development in terms of variety, design, layout, and types of structures,
3. Facilitating a more efficient use of land and economic arrangement of buildings and uses,
4. Minimizing traffic impacts while accommodating safe and efficient pedestrian and bicycle access and circulation, and
5. Using the land where site conditions make development under conventional zoning difficult or less desirable.

(c) The qualifying conditions in § 5.42 are met, as follows:

1. The proposed development is under unified control.
2. The proposed development provides public benefits in several ways, including:
  - a. Creating a mixed-use project combining residential and nonresidential uses and a variety of housing types,
  - b. High quality design beyond the minimum ordinance requirements,
  - c. Providing open space, plazas, and features,
  - d. Efficiently consolidating irregularly shaped properties,
  - e. Effectively transitioning from higher to lower density uses.

3. Uses along the perimeter of the property will be compatible with the use of adjacent property through screening, landscaping, and separation distances, as well as ensuring that all uses about nonresidential structures on adjacent property,

4. The development will be served by public water and sanitary sewer,

5. The proposed PUD is consistent with the City's 2018 Master Plan which advocates for diverse housing opportunities for new families, aging-in-place, and young professionals and adapting to changing retail and residential needs while retaining the City's character and walkability. The Plan also recognizes the proposed mixed-use development of the subject property as desirable.

(d) The standards of approval in § 5.49 are met, as follows:

1. The proposed PUD complies with the intent and all qualifying conditions of §§ 5.41 and 5.42 of Article VI, respectively, as stated in (b) and (c) above;

2. The uses conducted within the proposed PUD, the PUD's impact on the community and other aspects of the PUD are consistent with the City's Master Plan, as stated in (c)5 above;

3. The proposed PUD shall be designed, constructed, operated and maintained in a manner harmonious with the character of adjacent property, the surrounding uses of land, the natural environment and the capacity of public services and facilities affected by the development. Design, construction, and operation will be determined as part of the final site plan review and PUD agreement. However, the approved concept plan does illustrate sensitivity to the adjacent and surrounding uses, the natural environment, and the capacity of public services and facilities through the uses proposed, the arrangement of those uses, the accommodations for both vehicular and non-motorized circulation, the availability of public spaces, and the utilization of public services within their capacity;

4. The PUD shall not change the essential character of the surrounding area. The proposed development is consistent with the range of uses in the surrounding area, including commercial, office, high density residential, mixed-use neighborhoods, and open spaces;

5. The PUD shall not be hazardous to adjacent property or involve uses, activities, materials or equipment which will be detrimental to the health, safety or welfare of persons or property through the excessive production of traffic, noise, smoke, fumes or glare. No hazardous uses or activities are

proposed and the site is designed to mitigate traffic impacts and separate vehicular traffic from pedestrians and bicycles; and

6. The PUD shall not place demands on public services and facilities in excess of current or anticipated future capacity. All public services are available and capable of fully serving the proposed development.

(e) The commission determined that the height of the buildings for the PUD may exceed the normally prescribed height limitations because such increased height allows for desirable public spaces and plazas, more vibrant streetscaping and activity, extensive provisions for pedestrians and non-motorized traffic, high quality architectural design, and innovative mixed-use development to complement the current gaslight village district and support the goals of the City Master Plan. Such usage and design amenities would not be achievable under a more conventional development or under the current Zoning Ordinance requirements.

(f) On November 12, 2024, the East Grand Rapid planning commission recommended approval of the concept plan with the following conditions:

1. A comprehensive traffic, pedestrian, bicycle and mobility study to address to the City's satisfaction vehicle, bicycle, and foot traffic for the site during the high traffic season.
2. Physical traffic (vehicle) counts at active times.
3. A review of the traffic study by city staff to verify its accuracy.
4. An analysis of delivery truck accessibility.
5. An analysis of full utility capacity for stormwater management pursuant to Chapter 28 of the city code, with a priority for natural based solutions.
6. An impact assessment for sanitary sewer, storm sewer, and water system utilities that is acceptable to the city.
7. A "shade study" to evaluate the effects of building massing on neighboring properties (note that this was requested when the proposed building height was 94 feet).
8. An environmental assessment satisfactory to the city for proposed and historical uses.
9. A fiscal impact study demonstrating financial feasibility for the development and Gaslight Village as a whole.
10. Parking analysis with a balanced solution.

Because of the nature of most of these studies, they need to be completed and reviewed based on the parameters imposed by an approved concept plan. Upon approval of the concept plan, the applicant can confidently proceed with the studies using actual specifications rather than numbers subject to change before a concept plan is actually approved (e.g., residential units, density, height, square footage). Language will need to be included in the final site plan documents and/or the PUD agreement to confirm that each of these conditions were met to the City's satisfaction, including the contents of all studies, and modifications were made to the final plan, if needed, based on the applicable study results.

The East Grand Rapids City Commission hereby makes the following modifications to some of the conditions submitted by the planning commission as well as adding some additional conditions.

Condition number one suggested by the planning commission shall be restated to read as follows: A comprehensive traffic, pedestrian, bicycle, and mobility study to evaluate the extent of and potential conflicts between vehicle, bicycle, and foot traffic for the site during the high traffic season and to suggest solutions to the city. Such solutions shall take into consideration traffic issues and determine the division of cost-sharing for all required infrastructure updates. This study shall include intersections outside the immediate PUD area including Lakeside and Robinson, Lake Drive and Breton, Lake Drive and Bagley/San Lu Rae, Wealthy and Lakeside, and Wealthy and Lovett. Traffic and mobility issues shall be addressed to the satisfaction of the City traffic engineer.

Condition number three suggested by the planning commission shall be restated to read as follows: A review of the traffic study by city staff or a city-chosen third-party consultant to verify its accuracy.

Condition number six suggested by the planning commission shall be restated to read as follows: An impact assessment for sanitary sewer, storm water, and water system utilities, including the impact of runoff from surface parking lots. Any necessary mitigation shown by such studies shall be taken into consideration. Priority shall be given to natural based solutions in accordance with applicable laws and regulations.

In light of the reduced height of the tallest building contained in the concept plan by over twenty feet, planning commission condition number seven regarding a shade study is unnecessary.

Condition number eight suggested by the planning commission shall be restated to read as follows: An environmental assessment satisfactory to the city for proposed uses. Any necessary mitigation shall be taken into consideration.

Condition number nine suggested by the planning commission shall be restated to read as follows: A fiscal impact study demonstrating financial feasibility for the development.

Condition number ten suggested by the planning commission shall be restated to read as follows: A parking analysis with possible shared solutions. These parking solutions shall be subject to the provisions of section 3(o).

(g) In addition to these modifications of the planning commission conditions, the city commission adds the following additional conditions:

1. Any private streets and sidewalks constructed by the developer shall be built to standards approved by the City. The private streets shall be maintained to City standards, including snow removal on streets/sidewalks. Obstructions that may be allowed on any sidewalk shall be in accordance with existing City ordinances, regulations, and policies.
2. The upper floors of buildings in excess of three stories shall be stepped back from the lower floors.
3. Developer/Owner must apply for the closure of private streets so as to limit the impact upon vehicular traffic. Private street closures and temporary blockage shall be permitted in accordance with City ordinances, regulations, and policies.
4. The City is not obligated to fund any improvements to streets or utilities necessitated by increased demand resulting from the development. This condition does not preclude the City from voluntarily funding any improvements.
5. During the final plan review stage, if street or utility improvements are determined to be needed, as specified in condition 4, and are not appropriately funded, the final plan must be amended to eliminate the need for such improvements or amended to a level at which the improvements can be funded. This condition does not preclude the City from voluntarily funding any improvements.
6. Development of the project in phases may require updates to studies related to parking, utilities, and traffic. Such updates may be required at each phase at the discretion of the City.
7. Traffic circulation within the PUD area shall be addressed to the satisfaction of the City traffic engineer.
8. The locations of Building E and the open space around that building, as shown on the attached illustration, shall be adjusted to a mutually agreed upon location within this area in the final site plan and PUD agreement for the 2255 Wealthy Street parcel. This agreement should make the open space a more prominent site feature and improve vehicular circulation through the site.

The Planning Commission may recommend and the City Commission may require that the final PUD plan and/or the PUD agreement shall include such modifications or improvements recommended by the relevant studies and such other requirements related to the standards of approval..

Section 6. PUD Expiration.

(a) Approval of the PUD concept plan by the city commission shall confer upon the applicant the right to proceed through the subsequent final planning phase for a period not to exceed two years from the date of approval. The city commission may for good cause approve one extension of up to one year, if requested by the applicant prior to the expiration of the original concept plan approval. If application for final site approval for the PUD is not requested within this time period, the PUD concept plan shall automatically become null and void and all rights thereunder shall terminate. However, the PUD zoning shall remain in place unless a change is initiated by the City Commission.

(b) Construction shall commence on the project within one year of final plan approval unless an extension is granted in accordance with Section 5.51 of the Zoning Ordinance.

(c) If the development is proposed to be completed in more than one phase, a final site plan for each subsequent phase shall be submitted no later than three years from the date construction commences within the prior phase or three years from the date of formal approval of the prior phase if construction has not commenced. Failure to submit a final plan for a subsequent phase or commence construction for such phase within the required time frames or extension specified in Section 5.51 shall nullify the concept plan as to future phases but shall have no impact on previously constructed phases or phases that are under construction.

- This section changes the termination provisions of the original ordinance.

Section 7. Effective Date. This Ordinance shall become effective upon receipt by the City of the Developer's written acceptance of the conditions of approval and a revised preliminary PUD site plan incorporating all required conditions and changes; provided, however, that in no event shall this Ordinance become effective before October 29, 2004.

- This Amendment shall become effective upon receipt by the City of the Developer's written acceptance of approval of the PUD concept plan. In the event of a conflict or inconsistency between this Amendment and/or the Adopting Resolution and the Original Ordinance, the terms and conditions of this Amendment and/or the Adopting Resolution shall govern and control.

Section 8. Notice of Adoption. Notice of adoption of this Ordinance shall be published within ten (10) days after its enactment by publication of the following digest, summary, or statement of purpose of the Ordinance as provided in Chapter VII, Section 7.5 of the Charter of the City of East Grand Rapids.

- Notice of adoption of this Amendment shall be published within ten (10) days after its enactment by a publication of the following digest, summary, or statement of the purpose of the Amendment as provided Chapter VII, Section 7.5 of the Charter of the City of East Grand Rapids.

**NOTICE OF ADOPTION OF ORDINANCE BY  
THE CITY OF EAST GRAND RAPIDS**

**A Summary of Jade Pig Ventures  
Planned Unit Development**

The purpose of this Ordinance is to establish a planned unit development for a property located between Wealthy Street and Lakeside Drive in the City of East Grand Rapids. This planned unit development will allow a combination of commercial and retail uses, offices, residential condominiums with associated parking, and open space. The Ordinance approves a specific site plan for location of structures on the Property and deals with the Development and use of these structures including access, drainage, and landscaping. Copies of the Ordinance in its entirety and copies of the approved site plan are available at the office of the City Clerk, 750 Lakeside Drive, SE, East Grand Rapids, Michigan 49506, during normal business hours.

- The purpose of this Amendment is to update the concept plan for the property located between Wealthy Street and Lakeside Drive in the City of East Grand Rapids. This Planned Unit Development allows a combination of commercial and retail uses, offices, residential condominiums, apartments, and townhouses with associated parking, and open space. The Amendment approves a revised concept plan for location of structures on the property and deals with the development and use of these structures including access and parking. Copies of the Amendment and copies of the approved concept plan and the resolution to approve amendment are available at the office of the City Clerk, 750 Lakeside Drive S.E., East Grand Rapids, Michigan during normal business hours.

CITY OF EAST GRAND RAPIDS

By \_\_\_\_\_

**Lori Parmenter**  
City Clerk

# Comparison to original ordinance – Relined

**AN ORDINANCE TO AMEND THE ZONING  
ORDINANCE AND ZONING MAP OF THE CITY OF  
EAST GRAND RAPIDS TO ESTABLISH THE JADE PIG  
VENTURES PLANNED UNIT DEVELOPMENT**

**THE CITY OF EAST GRAND RAPIDS ORDAINS:**

Section 1. Planned Unit Development. The Zoning Ordinance of the City of East Grand Rapids is hereby amended by the amendment of Section 5.190 thereof (the zoning map) so as to rezone the lands described on Exhibit A (the “Property”) from C1 Commercial and B1 Apartment to the Planned Unit Development (PUD) district in accordance with the preliminary 8-page site plan of September 7, 2009, submitted by Jade Pig Ventures – EGR, L.L.C. and Jade Pig Ventures – Ramona, L.L.C. (jointly, the “Developer”) (Exhibit B) subject to all of the terms and conditions of this Ordinance.

- [The reference to Section 5.190 of the City Code in Section 1 now refers to Section 5.20. The date of the eight-page site plan is corrected to be September 7, 2004. All references to Jade Pig Ventures should now refer to Gaslight Investors, L.L.C. All other provisions of Section 1 are accurate and are not modified.](#)

Section 2. Purpose. The proposed development includes a combination of commercial and retail uses, offices, residential condominiums with associated parking, and open space. The planned unit development zoning has been chosen to provide for more control over mixed uses, aesthetics, maintenance, and appearance. The regulations contained herein are established to define the procedures necessary to ensure high quality development, maintenance, and usage within the Property. Additionally, they are designed to achieve integration of this development with adjacent land uses.

Section 3. Conditions on the Planned Unit Development. The rezoning of the Property to the PUD district is expressly subject to all of the following terms and conditions (the project as approved herein shall hereafter be the “Development”):

(a) The Development is approved in accordance with the preliminary PUD site plan. The preliminary PUD site plan approved by the City Commission is dated September 7, 2004. In accordance with the City Code, approval of a final PUD site plan will be necessary prior to commencement of any construction on the Property. The final site plan needs to be generally consistent with the concepts illustrated in the approved preliminary site plan, including building design. Complete compliance with the approved final site plan shall be a prerequisite to final approval of construction under the building permit to be issued by the City for the Development and to the occupancy of the units.

- Subsection 3(a) is updated to indicate that the preliminary site plan approved by the city commission, dated September 7, 2004, is now referred to as the concept plan. The concept plan is being updated by this document. Part of the area has already been constructed pursuant to the original plan. The final site plan for the remainder of the project will be consistent with the concepts illustrated in the approved concept plan. Compliance with the approved final site plan standards shall be a prerequisite to final approval of construction under the building permit to be issued by the City for the development and occupancy of new construction on the site.

(b) The Developer shall submit to the City for review and approval all plans required by the City's Building Code or other ordinances, including, but not limited to, drainage, sanitary sewer, water service, foundation and other subsurface structure plans, prior to the commencement of any construction. The Developer shall, if requested by the City Commission, supply a cash deposit, certified check, irrevocable bank letter of credit, or surety bond acceptable to the City pursuant to MCLA 125.584(e) covering the estimated costs of implementing the approved landscaping plan, to ensure completion of the roadways, lighting, utilities, sidewalks, screening, and drainage, and to finish all excavation work. The City Commission shall determine the amount of security required. In making this determination, the City Commission shall recognize that this project may be developed in stages pursuant to Section 3(d).

- Subsection 3(b) of the Original Ordinance remains substantially the same and is retained; provided however, the developer anticipates that the proposed project will be completed in phases. The boundaries of the phases and the phasing plan will be identified and considered for approval in final site plan review and the PUD agreement. Section 6(c) of the amended PUD Ordinance authorizes building in phases.

(c) In order to facilitate traffic flow in and out of the Development and to minimize the impact of traffic from the Development on surrounding city streets, certain road and intersection improvements will likely be installed by the City. The Developer will contribute \$100,000.00 toward these various road and intersection improvements. These improvements will occur on streets that surround the Property or that are impacted by the development of the Property. The Developer acknowledges that these planned improvements, including the improvement of the intersection of Lakeside Drive and Greenwood, will benefit the Property by improving the flow of traffic on and about the Property.

- Subsection 3(c) of the Original Ordinance refers to items that were agreed upon in 2004. Any requirements of the nature of those previously contained in Section 3(c) that are relevant to the amended concept plan will be addressed in a PUD agreement that is part of final site plan approval.

(d) The Commission recognizes the Developer may want to construct the PUD in phases. The commercial/retail buildings adjacent to Wealthy Street shall be completed first. The Developer may construct the remaining residential buildings in whatever order it desires. A final site plan shall be approved for each phase. Each site plan shall be complete for that phase including off-site items such as access and utilities.

- Subsection 3(d) is changed to acknowledge that the commercial/retail buildings adjacent to Wealthy Street have been constructed and that the remainder of the proposed project is anticipated to be constructed in several phases. The boundaries of the phases and the phasing plan will be identified and considered in connection with final site plan review and the PUD agreement.

(e) All utilities shall be located underground and shall be installed and maintained according to the approved utilities plan.

- No changes.

(f) The Developer will implement the portion of the City's "streetscape" plan immediately adjacent to the Property from the front of the buildings to the curb line on Wealthy Street (including City-owned property located there), in accordance with the overall streetscape plan being implemented by the City. Improvements will include sidewalks, curbs, lighting, benches, planters, receptacles, and landscaping called for in the Wealthy Streetscape Plan. The streetscape design shall be consistent with the City's design plan that will be available prior to the commencement of construction. The Developer will contribute \$175,000 toward those improvements immediately adjacent to the Property. The Developer acknowledges that these streetscape improvements immediately adjacent to the Property will enhance its use and attractiveness.

- Subsection 3(f) is changed to acknowledge that the requirements of Section 3(f) were satisfied with respect to the portion of the PUD constructed in the initial phase of the project. The requirements of Section 3(f) are not relevant with respect to the future phases of the project; provided however, new specifications for streets, streetscape, lighting, and other details will be established in the final site plan and in the PUD agreement.

(g) Any rooftop heating, ventilation, air conditioning or other mechanical structures shall be completely screened from view from the street and neighboring properties outside the PUD through placement and building design.

~~(h) Any satellite dish antennas or other antennas utilized for television or telecommunication purposes shall be placed upon the top of buildings only and not on~~

~~balconies or sidewalls of any buildings. The condominium documents shall so restrict the placement of such antennas.~~Subsection (h) is reserved. Contents deleted.

(i) The drive-through shown on the preliminary site plan is to be for bank use only, not restaurant, pharmacy, or other use. The drive through, including any canopy and accessory structures, shall be integrated with the building design.

- Subsection 3(i) applies to a drive-thru window which has already been constructed in the initial phase.

(j) Any limitations or restrictions on parking spaces, other than barrier free spaces and reasonable controls to assure parking only by Property users, including reserved spaces, must be identified on the final site plan and approved by the City. The parking structure must be retained and maintained in order to meet parking requirements. The Developer will make the parking structure available for events such as high school sporting events or concerts, consistent with Property owners and tenants needs for parking.

- Subsection 3(j) is changed as the previously existing parking structure has been removed. A new parking structure is included in the approved concept plan and any conditions or restrictions on that structure will be addressed in final site plan approval and the PUD agreement.

(k) The final site plan shall be materially consistent in character with the ~~preliminary PUD site~~concept plan, and shall provide detail to demonstrate how views from adjacent uses will be improved through landscaping and architectural details.

- Refers to concept plan.

(l) The Developer shall provide pedestrian access for the public through the Property and attempt to obtain a pedestrian easement along the west side of the parking structure to facilitate this access. If this easement is not obtained, the Developer shall include in the PUD site plan an alternate method of providing pedestrian access for the public through the residential portion of the PUD to the parking deck (as shown on Exhibit C). The Developer shall construct such access when the appropriate phase of the Development is implemented and after such access is constructed the public shall be allowed to walk from such access through the parking deck to reach the commercial, retail, and office elements of the PUD. The Developer may terminate this public access to the parking deck should the Developer later obtain the pedestrian easement along the west side of the parking structure or otherwise provide public access approved by the City. The Developer shall also provide a pedestrian entrance for the public on the west side of the PUD from the Property to the current D&W site.

- Subsection 3(l) is changed to provide that the developer is to provide pedestrian access through the property in general locations identified for pedestrian access in the approved concept plan.

(m) An access easement (as illustrated on Exhibit D) shall be reserved in front of the parking structure to the Property to the west that would allow a vehicular connection in the future, if the adjacent Property is redeveloped and if, as part of the redevelopment, a public street is extended through the adjacent property between Wealthy Street and Lakeside Drive and the adjacent property owner provides an easement across its property from the Property to the public street. Development of the access easement for vehicular traffic need only be implemented if such connection is determined by the City to be beneficial for traffic circulation.

- Subsection 3(m) is no longer relevant.

(n) The following facilities located on the Property shall be maintained to their as-built standards, reasonable wear and tear excepted: on-site landscaping, lighting, signs, pavement markings, paving, stormwater facilities, and other on-site structures.

- The Buildings located on the subject property shall be maintained to their as-built standards, reasonable wear and tear excepted. The Buildings are identified in subsection (p) below and shall be addressed in the PUD agreement and illustrated in the final site plan.

(o) In consideration for the parking requirement of 687 spaces, the size of each of the respective uses shall not exceed the Square Foot Limitation shown on Exhibit E without approval by the City Commission based upon a finding that on-site parking for all uses is adequate and that on-site parking for the increase in size of any of the uses will also be adequate. Such approval shall follow a review and recommendation by the Planning Commission.

- The parking requirements and the number of spaces shall be mutually agreed upon by Gaslight Investors, L.L.C. and the City Commission as part of the final site plan and PUD agreement. The agreement of the parties shall take into consideration any parking studies performed in conjunction with the final site plan. In the event the project is built in phases, each phase will provide sufficient parking as agreed upon by the City and Gaslight Investors. Upon the approval of each phase, the parking constructed will be sufficient to provide parking for all completed phases.

(p) The Developer ~~shall~~may construct up to ~~six "Buildings"~~9 "Buildings" as shown on the ~~preliminary site plan (Exhibit B). Of these, up to four would be residential structures.~~

~~These residential Buildings shall be of varying heights so as to provide a “stepped-up” appearance. The average elevation of the finished lot grade for purposes of measuring building height under the City Code for each of the Property’s Buildings shall be as follows (the Building numbers refer to the numbers shown on Exhibit B):~~concept plan. These buildings will contain a mix of residential uses, retail uses, and commercial uses, though some buildings may contain just one use. The maximum height of each building shall be as follows:

- Building C – four stories at 57’ – 0”
- Building D – five stories at 70’ – 0”
- Building E – five stories at 70’ – 0”
- Building F – four stories at 57’ – 0”
- Building G – three stories at 40’ – 0”
- Building H – three stories at 40’ – 0”
- Number of buildings increased. Other provisions moved to the PUD agreement.

<b>Building 1</b>	–	754 feet above mean sea level
<b>Building 2</b>	–	754 feet above mean sea level
<b>Building 3</b>	–	754 feet above mean sea level
<b>Building 4</b>	–	752 feet above mean sea level
<b>Building 5</b>	–	752 feet above mean sea level
<b>Building 6</b>	–	752 feet above mean sea level

The residential Buildings when constructed shall have the following height limitations, with the height being measured in accordance with the provisions of the City Code:

	<b>Height</b>
<b>Building 3</b>	– (located between parking structure and the adjacent property’s existing condominium) may be up to 79 feet.
<b>Building 4</b>	– (located directly to the north of the D&W building) may be up to 71 feet, 1 inch.
<b>Building 5</b>	– (located in the northeast corner of the Property) may be up to 79 feet.

**Building 6** – (located in the northwest corner of the Property) may be up to 60 feet, 9 inches.

~~Each residential unit shall have a minimum of 2 subsurface parking spaces.~~

~~Developer will install a roof top garden above the proposed fitness center/retail portion of Building 3.~~

(q) Within the commercial area of the PUD, all first floor space in Building 1 and Building 2A shall be used for permitted C-1 uses other than business or professional offices and ancillary group uses. Business and professional offices shall be located on the second floor of Buildings 1 and 2A. All other C-1 uses are also permitted on second floor of Building 1 and Building 2A other than ancillary group uses. While Building 2B uses are contemplated to be primarily medical offices or retail space related to medical offices and Building 2C is contemplated to be occupied by a bank or other financial organization, any use permitted in the C-1 zone is approved for those buildings other than ancillary group uses. In addition, business or professional offices are not permitted in the first floor of Building 2C. Developer will use its best efforts to utilize the bank façade it has acquired on the front of Building 2C if such use is commercially reasonable. Nonresidential portions of the first floor of Building 3 shall be used for permitted C-1 uses other than ancillary group uses, including a fitness center. While this paragraph specifies allowed uses in specific buildings, this paragraph is subject to the conditions of Section 3(o) (and Exhibit E) that only specified uses are allowed without additional review and approval for parking space compliance.

- The Buildings identified as A and B in the approved concept plan have been established and are in the commercial area of the PUD along Wealthy Street. In the event that any or all of Buildings C and D are constructed, they may be used for any use that is allowed in the C-1 zoning district as set forth in Table 5.36 of the Zoning Ordinance. In the event that any or all of the Buildings F, G and H are constructed, they shall be used for residential uses as identified in the approved concept plan. In the event Building E is constructed, it may be used for any use that is allowed in the C-1 zoning district and for any or all residential uses on all levels as identified in the approved concept plan.

#### Section 4. Enforcement.

(a) The City may enforce the provisions of this Resolution, the continuing provisions of the Original Ordinance and applicable provisions of the Zoning Ordinance, Building Code, and other ordinances, laws, and regulations to the extent and in any manner provided by law.

(b) All conditions contained ~~herein~~in this Resolution shall be binding upon the Developer as well as its successors, tenants, and assigns. ~~The conditions may be modified or amended only pursuant to a formal amendment of the PUD (and site plan if necessary) ordinance.~~

~~(c) The PUD approval is expressly contingent upon all conditions of approval herein remaining fully effective and valid. If any condition proposed herein is ever determined to be illegal or contrary to law as a result of a successful legal challenge by the Developer or its assigns, or any other party, the City reserves the right to review the entire Development under the PUD provisions of the Zoning Ordinance, and further, as to any portion of the Development which is not substantially under construction or constructed, to withdraw its approval of such portion of the PUD if it finds that absent the effect of any condition imposed herein, the PUD no longer meets the standards for PUD approval contained in the Zoning Ordinance.~~

- Subsection (c) deleted with provisions being moved to the PUD agreement and/or final site plan documents.

**Section 5. Findings.** ~~The~~In 2004, the Planning Commission determined that the proposed project met the required standards contained in the City Code for site plan review and for planned unit development approval. While some details of the approved concept plan vary from the 2004 plan, the overall uses, scale, and relationships are in keeping with the previously approved concept. Therefore, the current Planning Commission and City Commission have determined that ~~this proposed project meets those standards contained in Article XIII.B. for site plan review and Article XIII.A. for planned unit development approval. The City Commission finds that~~the revisions proposed to the development as illustrated in the approved concept plan dated \_\_\_\_\_ (attachment A) and described in the applicant's submittal (attachment B) meet the following Zoning Ordinance standards ~~have been met:~~

(a) All applicable provisions of Article VI Planned Unit Development of the Zoning Ordinance are met;

(b) The proposed PUD meets the intent of Article VI, as outlined in Section 5.41, through each of the following:

1. Providing for a mix of compatible uses and residential types,
2. Creating an innovative development in terms of variety, design, layout, and types of structures,
3. Facilitating a more efficient use of land and economic arrangement of buildings and uses,

4. Minimizing traffic impacts while accommodating safe and efficient pedestrian and bicycle access and circulation, and

5. Using the land where site conditions make development under conventional zoning difficult or less desirable.

(c) The qualifying conditions in § 5.42 are met, as follows:

1. The proposed development is under unified control.

2. The proposed development provides public benefits in several ways, including:

a. Creating a mixed-use project combining residential and nonresidential uses and a variety of housing types,

b. High quality design beyond the minimum ordinance requirements,

c. Providing open space, plazas, and features,

d. Efficiently consolidating irregularly shaped properties,

e. Effectively transitioning from higher to lower density uses.

3. Uses along the perimeter of the property will be compatible with the use of adjacent property through screening, landscaping, and separation distances, as well as ensuring that all uses abut nonresidential structures on adjacent property,

4. The development will be served by public water and sanitary sewer,

5. The proposed PUD is consistent with the City's 2018 Master Plan which advocates for diverse housing opportunities for new families, aging-in-place, and young professionals and adapting to changing retail and residential needs while retaining the City's character and walkability. The Plan also recognizes the proposed mixed-use development of the subject property as desirable.

(d) The standards of approval in § 5.49 are met, as follows:

1. ~~(a)~~ The proposed PUD complies with the intent and all qualifying conditions of ~~Section 5.135~~ §§ 5.41 and 5.42 of Article VI, respectively, as stated in (b) and (c) above;

~~(b) The proposed PUD meets the applicable objectives contained in Section 5.137 including the development of support facilities within a reasonable distance of living units, an efficient use of land, a coordination of architectural styles, integrated safe and abundant pedestrian access within the PUD, and consistency with objectives of the East Grand Rapids Master Plan and Gaslight Village Subarea Plan. While the proposed PUD is generally consistent with the objectives of the East Grand Rapids Master Plan and Gaslight Village subarea plan, the Master Plan should be reviewed and amended as necessary to recognize the changes brought about by the demolition of the Jacobson's building and the provisions of the proposed PUD. The City should begin the amendment process now.~~

2. ~~(e) The uses conducted within the proposed PUD and, the overall design are generally~~ PUD's impact on the community and other aspects of the PUD are consistent with the City's Master Plan and the subarea plan for Gaslight Village, though these plans fail to address the magnitude of the proposed Development. A review and amendment of the City's Master Plan and the subarea plan for Gaslight Village is appropriate, as stated in (c)5 above;

3. ~~(d) The proposed PUD is to~~ shall be designed, constructed, operated and maintained in a manner harmonious with the character of adjacent property, the surrounding uses of land, the natural environment and the capacity of public services and facilities affected by the ~~Development.~~ development. Design, construction, and operation will be determined as part of the final site plan review and PUD agreement. However, the approved concept plan does illustrate sensitivity to the adjacent and surrounding uses, the natural environment, and the capacity of public services and facilities through the uses proposed, the arrangement of those uses, the accommodations for both vehicular and non-motorized circulation, the availability of public spaces, and the utilization of public services within their capacity;

4. ~~(e) The proposed PUD will support objectives for a viable Gaslight Village business district but will not significantly~~ shall not change the essential character of the surrounding area. The proposed development is consistent with the range of uses in the surrounding area, including commercial, office, high density residential, mixed-use neighborhoods, and open spaces;

5. ~~(f) The proposed PUD will~~ shall not be hazardous to ~~the~~ adjacent property or involve uses, activities, ~~material~~ materials or equipment which ~~would~~ will be detrimental to the health, safety, or welfare of persons or property through the excessive production of traffic, noise, smoke, fumes or glare. No hazardous uses or activities are proposed and the site is designed to mitigate traffic impacts and separate vehicular traffic from pedestrians and bicycles; and

~~6. (g) The PUD, including improvements proposed, will shall not place demanddemands on public services and facilities in excess of current or anticipated future capacity. All public services are available and capable of fully serving the proposed development.~~

~~(h) The Developer proposes up to 107 residential condominium units creating a residential density of up to 18.4 units per acre. The City's planning consultant has suggested that density of 17-20 units per acre is appropriate for this area. The City Commission recognizes that the Master Plan contemplates increased residential density within the Gaslight Village business district, and the Commission is supportive of increased density.~~

~~(i) It is desirable for the City to have housing alternatives other than just single family homes. The proposed PUD provides residential condominium units that are otherwise in very limited supply in the City.~~

~~(j) The proposed PUD represents a special redevelopment opportunity of a significant scope on a unique parcel at a unique time in the history of the Gaslight Village business district. It is in the best interests of the City that the redevelopment of the "Jacobson's parcel" on Wealthy Street and the "Ramona Medical site" on Lakeside Drive occur jointly pursuant to a single comprehensive plan that will help revitalize the Gaslight Village business district and set the standard for further redevelopment on Wealthy Street. The Developer's proposal presents a unique opportunity to propel the redevelopment of Gaslight Village at a time when it is needed while adding increased residential density within this area and providing housing alternatives as suggested by the Master Plan. Because of this one-time confluence of circumstances, the Commission does not consider the proposed PUD as a precedent for height or for any subsequent redevelopment in the Gaslight Village business district area.~~

~~(k) This PUD is reviewed in its entirety and the Commission finds that a mixed-use development to include retail, general office, medical office, health/fitness facilities, bank, restaurants, and multi-family residential is important for the overall quality and success of the Development.~~

~~(e) (l) The Commission determinescommission determined that the height of residentialthe buildings for the PUD shouldmay exceed the 35-foot limitation of the underlying zone districtnormally prescribed height limitations because such increased height of residential buildings allows for desirable on-site green spacepublic spaces and plazas, subsurface residential parking with a lawn above, and deck parking to improve aesthetics and reduce environmental impacts, extensive pedestrianwaysmore vibrant streetscaping and activity, extensive provisions for pedestrians and non-motorized traffic, high quality architectural design, views of Reeds Lake for most units and, of considerable public benefit, the innovative commercial and office development along the Wealthy Street frontage. The use of multiple residential buildings of various heights, with staggered setbacks and architectural~~

~~design elements to reduce the visual impact of the height is preferable to fewer, larger buildings surrounded by unattractive surface parking lots. Such uses and innovative mixed-use development to complement the current gaslight village district and support the goals of the City Master Plan. Such usage~~ and design amenities would not be achievable under a more conventional development ~~without the building height modification~~ nor under the current Zoning Ordinance requirements.

~~(m) The City's planning consultant has defined seven different uses within the PUD consisting of residential condominiums, medical/dental offices, general offices, retail, restaurants, bank, and health/fitness club (the "Uses"). Exhibit E defines the residential use of up to 107 units and defines all other Uses by square footage (the number of square feet for each Use shown on Exhibit E is referenced as the "Square Foot Limitation"). The number of parking spaces required under the City ordinance for all such Uses ranges from approximately 750 parking spaces to 812 parking spaces. The Developer requests a modification to reduce the total number of parking spaces to 687 and the Commission supports such reduction, subject to the conditions of approval contained herein, based upon the report of the City's traffic consultant and the historical review by the City Attorney of the parking requirements contained in the City ordinance.~~

~~(n) The requested modification for relief from the standard setbacks along Wealthy Street is appropriate in order to create a village atmosphere that should assist in the revitalization of the entire business district. Since the vast majority of buildings in the business district are located at or near the front property line, continuation of that development will lead to a certain consistency that is desirable and consistent with the City's Master Plan and design concepts for Wealthy Street.~~

~~(o) The requested modification to permit a low intensity drive through bank is appropriate in relationship to the overall PUD design, given its integration with buildings lining Wealthy Street, its location, the limitation on the use, and favorable experience with other similar drive through banks in the downtown.~~

~~The conditions of approval are necessary to ensure that public services and facilities affected by the Development will be capable of accommodating increased service and facilities loads caused by the Development, to protect the environment, to ensure compatibility with adjacent uses of land, and to promote the use of land in a socially and economically desirable manner.~~

(f) On November 12, 2024, the East Grand Rapid planning commission recommended approval of the concept plan with the following conditions:

1. A comprehensive traffic, pedestrian, bicycle and mobility study to address to the City's satisfaction vehicle, bicycle, and foot traffic for the site during the high traffic season.
2. Physical traffic (vehicle) counts at active times.
3. A review of the traffic study by city staff to verify its accuracy.
4. An analysis of delivery truck accessibility.
5. An analysis of full utility capacity for stormwater management pursuant to Chapter 28 of the city code, with a priority for natural based solutions.
6. An impact assessment for sanitary sewer, storm sewer, and water system utilities that is acceptable to the city.
7. A "shade study" to evaluate the effects of building massing on neighboring properties (note that this was requested when the proposed building height was 94 feet).
8. An environmental assessment satisfactory to the city for proposed and historical uses.
9. A fiscal impact study demonstrating financial feasibility for the development and Gaslight Village as a whole.
10. Parking analysis with a balanced solution.

Because of the nature of most of these studies, they need to be completed and reviewed based on the parameters imposed by an approved concept plan. Upon approval of the concept plan, the applicant can confidently proceed with the studies using actual specifications rather than numbers subject to change before a concept plan is actually approved (e.g., residential units, density, height, square footage). Language will need to be included in the final site plan documents and/or the PUD agreement to confirm that each of these conditions were met to the City's satisfaction, including the contents of all studies, and modifications were made to the final plan, if needed, based on the applicable study results.

The East Grand Rapids City Commission hereby makes the following modifications to some of the conditions submitted by the planning commission as well as adding some additional conditions.

Condition number one suggested by the planning commission shall be restated to read as follows: A comprehensive traffic, pedestrian, bicycle, and mobility study to evaluate the

extent of and potential conflicts between vehicle, bicycle, and foot traffic for the site during the high traffic season and to suggest solutions to the city. Such solutions shall take into consideration traffic issues and determine the division of cost-sharing for all required infrastructure updates. This study shall include intersections outside the immediate PUD area including Lakeside and Robinson, Lake Drive and Breton, Lake Drive and Bagley/San Lu Rae, Wealthy and Lakeside, and Wealthy and Lovett. Traffic and mobility issues shall be addressed to the satisfaction of the City traffic engineer.

Condition number three suggested by the planning commission shall be restated to read as follows: A review of the traffic study by city staff or a city-chosen third-party consultant to verify its accuracy.

Condition number six suggested by the planning commission shall be restated to read as follows: An impact assessment for sanitary sewer, storm water, and water system utilities, including the impact of runoff from surface parking lots. Any necessary mitigation shown by such studies shall be taken into consideration. Priority shall be given to natural based solutions in accordance with applicable laws and regulations.

In light of the reduced height of the tallest building contained in the concept plan by over twenty feet, planning commission condition number seven regarding a shade study is unnecessary.

Condition number eight suggested by the planning commission shall be restated to read as follows: An environmental assessment satisfactory to the city for proposed uses. Any necessary mitigation shall be taken into consideration.

Condition number nine suggested by the planning commission shall be restated to read as follows: A fiscal impact study demonstrating financial feasibility for the development.

Condition number ten suggested by the planning commission shall be restated to read as follows: A parking analysis with possible shared solutions. These parking solutions shall be subject to the provisions of section 3(o).

(g) In addition to these modifications of the planning commission conditions, the city commission adds the following additional conditions:

1. Any private streets and sidewalks constructed by the developer shall be built to standards approved by the City. The private streets shall be maintained to City standards, including snow removal on streets/sidewalks. Obstructions that may be allowed on any sidewalk shall be in accordance with existing City ordinances, regulations, and policies.

2. The upper floors of buildings in excess of three stories shall be stepped back from the lower floors.
3. Developer/Owner must apply for the closure of private streets so as to limit the impact upon vehicular traffic. Private street closures and temporary blockage shall be permitted in accordance with City ordinances, regulations, and policies.
4. The City is not obligated to fund any improvements to streets or utilities necessitated by increased demand resulting from the development. This condition does not preclude the City from voluntarily funding any improvements.
5. During the final plan review stage, if street or utility improvements are determined to be needed, as specified in condition 4, and are not appropriately funded, the final plan must be amended to eliminate the need for such improvements or amended to a level at which the improvements can be funded. This condition does not preclude the City from voluntarily funding any improvements.
6. Development of the project in phases may require updates to studies related to parking, utilities, and traffic. Such updates may be required at each phase at the discretion of the City.
7. Traffic circulation within the PUD area shall be addressed to the satisfaction of the City traffic engineer.
8. The locations of Building E and the open space around that building, as shown on the attached illustration, shall be adjusted to a mutually agreed upon location within this area in the final site plan and PUD agreement for the 2255 Wealthy Street parcel. This agreement should make the open space a more prominent site feature and improve vehicular circulation through the site.

The Planning Commission may recommend and the City Commission may require that the final PUD plan and/or the PUD agreement shall include such modifications or improvements recommended by the relevant studies and such other requirements related to the standards of approval.

Section 6. PUD Expiration. ~~This PUD shall be subject to the expiration provisions of Section 5.140-A of the City Code. Since it is contemplated that this Development may be~~

~~constructed in phases, the expiration deadlines contained in Section 5.140-A apply only to those phases which have been presented for and received final approval.~~

(a) Approval of the PUD concept plan by the city commission shall confer upon the applicant the right to proceed through the subsequent final planning phase for a period not to exceed two years from the date of approval. The city commission may for good cause approve one extension of up to one year, if requested by the applicant prior to the expiration of the original concept plan approval. If application for final site approval for the PUD is not requested within this time period, the PUD concept plan shall automatically become null and void and all rights thereunder shall terminate. However, the PUD zoning shall remain in place unless a change is initiated by the City Commission.

(b) Construction shall commence on the project within one year of final plan approval unless an extension is granted in accordance with Section 5.51 of the Zoning Ordinance.

(c) If the development is proposed to be completed in more than one phase, a final site plan for each subsequent phase shall be submitted no later than three years from the date construction commences within the prior phase or three years from the date of formal approval of the prior phase if construction has not commenced. Failure to submit a final plan for a subsequent phase or commence construction for such phase within the required time frames or extension specified in Section 5.51 shall nullify the concept plan as to future phases but shall have no impact on previously constructed phases or phases that are under construction.

- This section changes the termination provisions of the original ordinance.

Section 7. Effective Date. ~~This Ordinance shall become effective upon receipt by the City of the Developer's written acceptance of the conditions of approval and a revised preliminary PUD site plan incorporating all required conditions and changes; provided, however, that in no event shall this Ordinance become effective before October 29, 2004.~~

- This Amendment shall become effective upon receipt by the City of the Developer's written acceptance of approval of the PUD concept plan. In the event of a conflict or inconsistency between this Amendment and/or the Adopting Resolution and the Original Ordinance, the terms and conditions of this Amendment and/or the Adopting Resolution shall govern and control.

Section 8. Notice of Adoption. ~~Notice of adoption of this Ordinance shall be published within ten (10) days after its enactment by publication of the following digest, summary, or statement of purpose of the Ordinance as provided in Chapter VII, Section 7.5 of the Charter of the City of East Grand Rapids.~~

- Notice of adoption of this Amendment shall be published within ten (10) days after its enactment by a publication of the following digest, summary, or statement of the purpose of the Amendment as provided Chapter VII, Section 7.5 of the Charter of the City of East Grand Rapids.

**NOTICE OF ADOPTION OF ORDINANCE BY  
THE CITY OF EAST GRAND RAPIDS**

A Summary of Jade Pig Ventures  
Planned Unit Development

~~The purpose of this Ordinance is to establish a planned unit development for a property located between Wealthy Street and Lakeside Drive in the City of East Grand Rapids. This planned unit development will allow a combination of commercial and retail uses, offices, residential condominiums with associated parking, and open space. The Ordinance approves a specific site plan for location of structures on the Property and deals with the Development and use of these structures including access, drainage, and landscaping. Copies of the Ordinance in its entirety and copies of the approved site plan are available at the office of the City Clerk, 750 Lakeside Drive, SE, East Grand Rapids, Michigan 49506, during normal business hours.~~

- The purpose of this Amendment is to update the concept plan for the property located between Wealthy Street and Lakeside Drive in the City of East Grand Rapids. This Planned Unit Development allows a combination of commercial and retail uses, offices, residential condominiums, apartments, and townhouses with associated parking, and open space. The Amendment approves a revised concept plan for location of structures on the property and deals with the development and use of these structures including access and parking. Copies of the Amendment and copies of the approved concept plan and the resolution to approve amendment are available at the office of the City Clerk, 750 Lakeside Drive S.E., East Grand Rapids, Michigan during normal business hours.

CITY OF EAST GRAND RAPIDS

By \_\_\_\_\_

~~Karen K. Brower~~

Lori Parmenter

---

City Clerk

# GASLIGHT VILLAGE

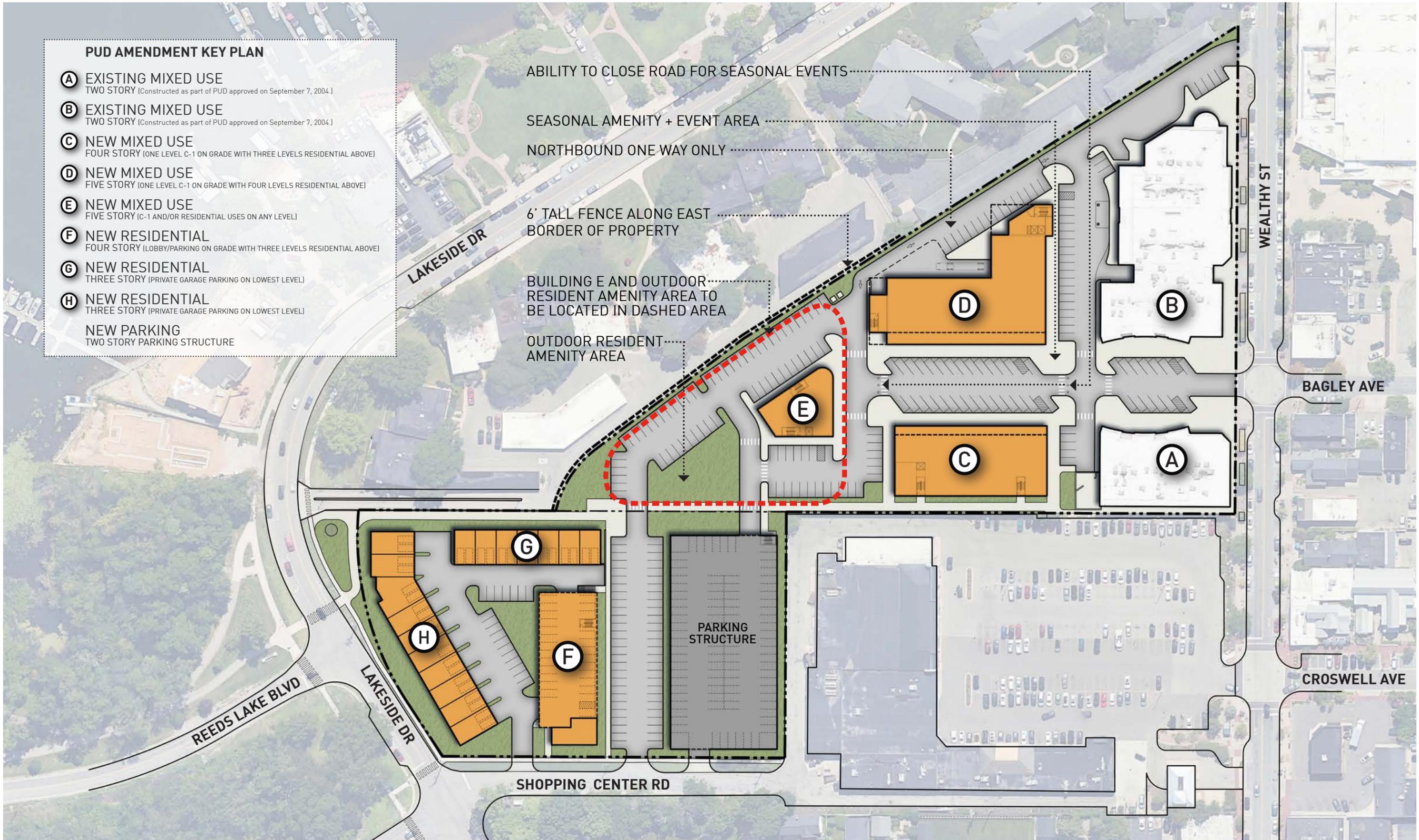
## PUD AMENDMENT CONCEPT PLAN

9 JULY 2025



**PUD AMENDMENT KEY PLAN**

- (A)** EXISTING MIXED USE  
TWO STORY (Constructed as part of PUD approved on September 7, 2004.)
- (B)** EXISTING MIXED USE  
TWO STORY (Constructed as part of PUD approved on September 7, 2004.)
- (C)** NEW MIXED USE  
FOUR STORY (ONE LEVEL C-1 ON GRADE WITH THREE LEVELS RESIDENTIAL ABOVE)
- (D)** NEW MIXED USE  
FIVE STORY (ONE LEVEL C-1 ON GRADE WITH FOUR LEVELS RESIDENTIAL ABOVE)
- (E)** NEW MIXED USE  
FIVE STORY (C-1 AND/OR RESIDENTIAL USES ON ANY LEVEL)
- (F)** NEW RESIDENTIAL  
FOUR STORY (LOBBY/PARKING ON GRADE WITH THREE LEVELS RESIDENTIAL ABOVE)
- (G)** NEW RESIDENTIAL  
THREE STORY (PRIVATE GARAGE PARKING ON LOWEST LEVEL)
- (H)** NEW RESIDENTIAL  
THREE STORY (PRIVATE GARAGE PARKING ON LOWEST LEVEL)
- NEW PARKING  
TWO STORY PARKING STRUCTURE



ABILITY TO CLOSE ROAD FOR SEASONAL EVENTS

SEASONAL AMENITY + EVENT AREA

NORTHBOUND ONE WAY ONLY

6' TALL FENCE ALONG EAST BORDER OF PROPERTY

BUILDING E AND OUTDOOR RESIDENT AMENITY AREA TO BE LOCATED IN DASHED AREA

OUTDOOR RESIDENT AMENITY AREA

PARKING STRUCTURE

# GASLIGHT PUD AMENDMENT

7.9.2025

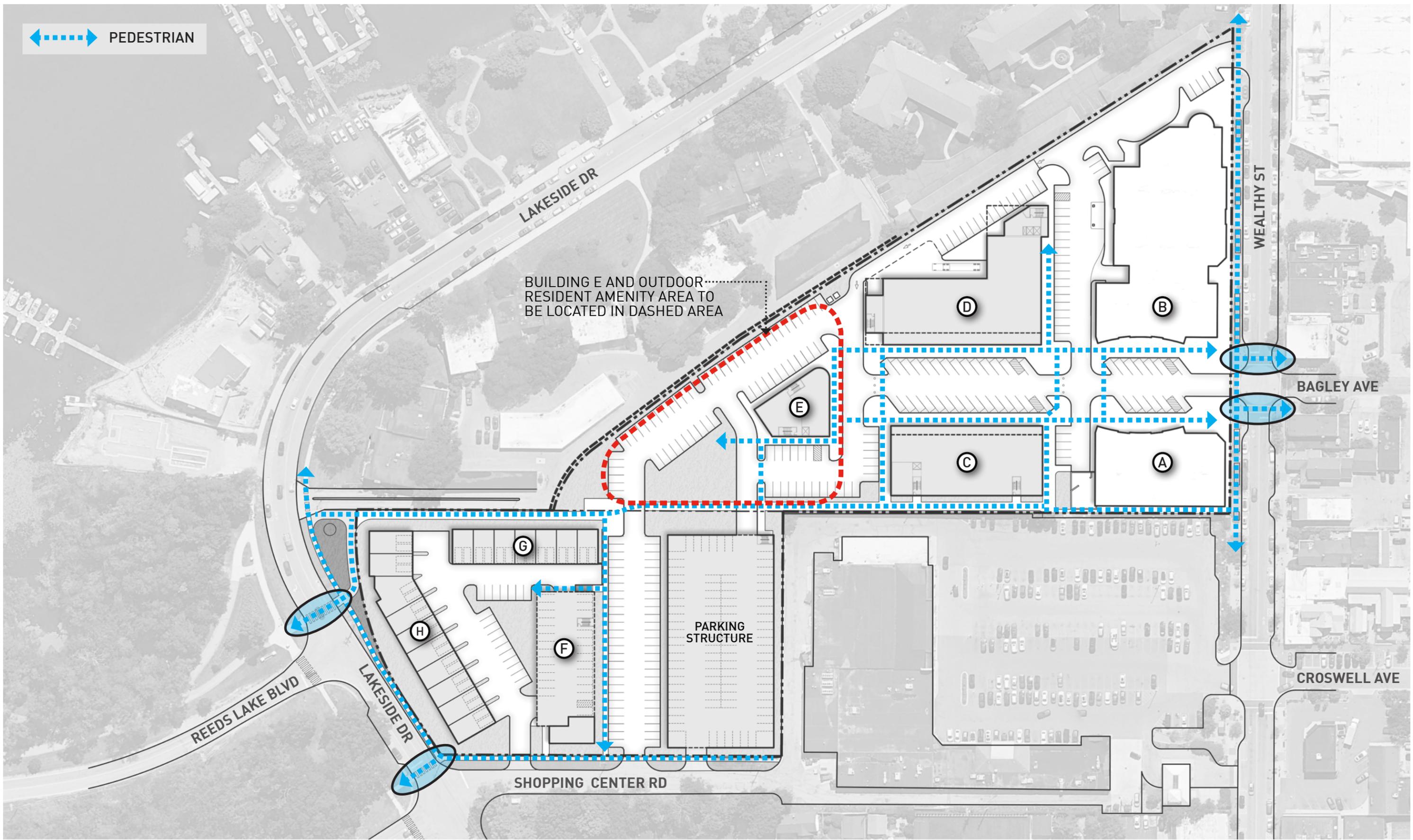
PARKING   C-1 USE AREA   RESIDENTIAL UNIT SUMMARY					
USE	AREA (USF)	UNITS	NOTES	PARKING RATIO	SPACES
Existing Tenants (A+B)	77,500		Buildings A and B are both 2 levels, all C-1 uses	3/1000	233
BLDG C : C-1 USES	12,430		Building C is 1 level of C-1 Uses with 3 residential levels above	3/1000	38
BLDG C : RESIDENTIAL		36	3 levels with 12 units per level	1 space / unit	36
BLDG D : C-1 USES	17,000		Building D is 1 level of C-1 uses with 4 residential levels above	3/1000	51
BLDG D : RESIDENTIAL		64	4 levels with 16 units per level	1 space / unit	64
BLDG E : C-1 USES	2,500 to 6,500		C-1 uses and/or 2 residential units per level	3/1000	8 to 20
BLDG E : RESIDENTIAL		8 to 10	C-1 uses and/or 2 residential units per level	1 space / unit	8 to 10
BLDG F : RESIDENTIAL		24	Building F is 3 levels of residential with 8 units per level over parking and lobby	1 space / unit	24
BLDG G : RESIDENTIAL		7	Building G is 7 townhomes. Each townhome has a 2 stall garage.	2 spaces / unit	14
BLDG H : RESIDENTIAL		10	Building H is 10 townhomes. Each townhome has a 2 stall garage + space for two visitors	2 space / unit	20
<b>TOTAL AREA OF C-1 USE</b>	<b>109,430 to 113,430</b>		77,500 USF existing + 31,930 to 35,930 USF proposed	<b>TOTAL PARKING DEMAND</b>	<b>496 to 510</b>
<b>TOTAL RESIDENTIAL UNITS</b>		<b>149 to 151</b>	17 townhomes + 132 to 134 units	<b>TOTAL PARKING PROPOSED</b>	<b>519</b>

Final parking study and shared parking ratio to be prepared for final site plan submission.

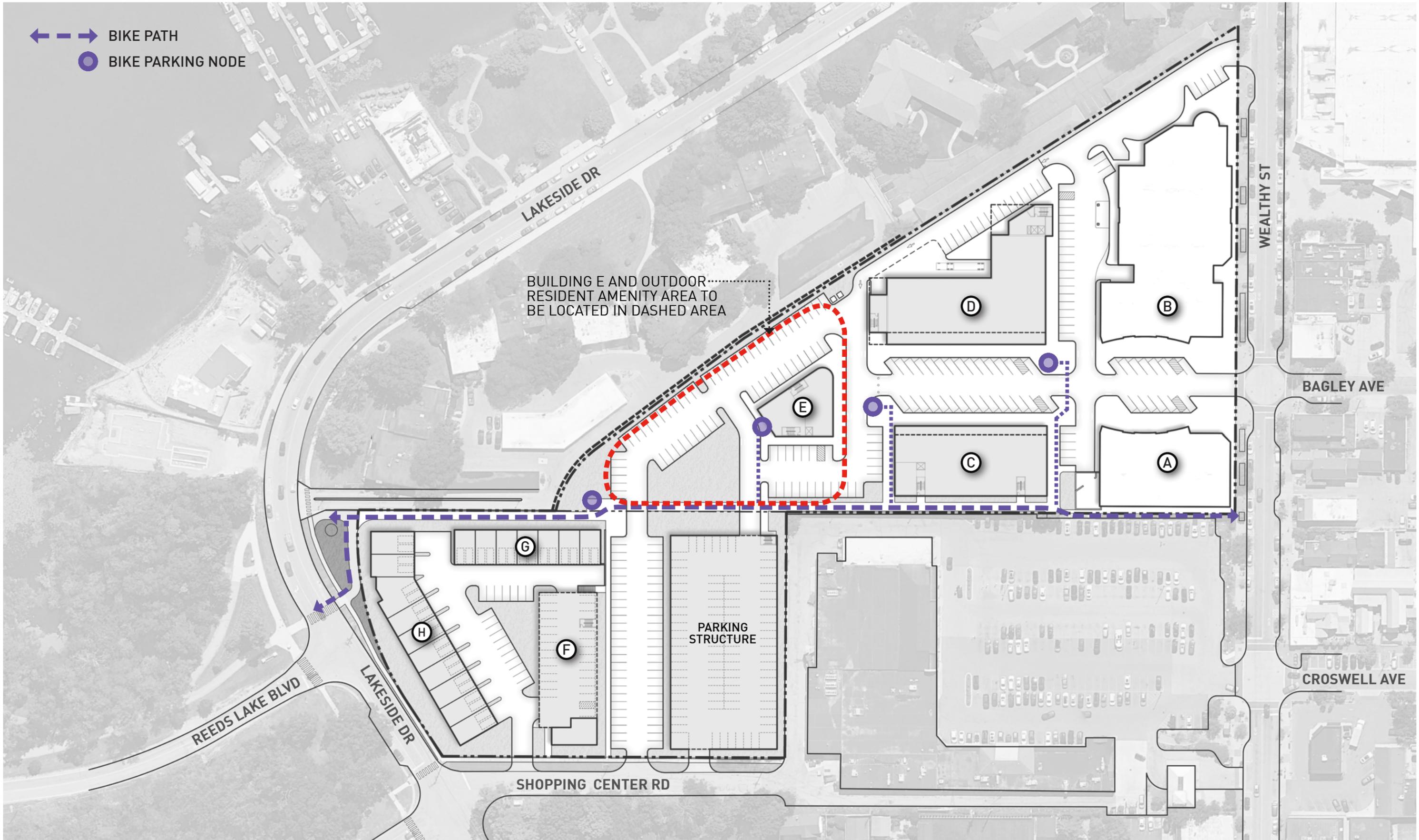
Visitor "driveway" parking spaces (20) are available for building H resident guests.

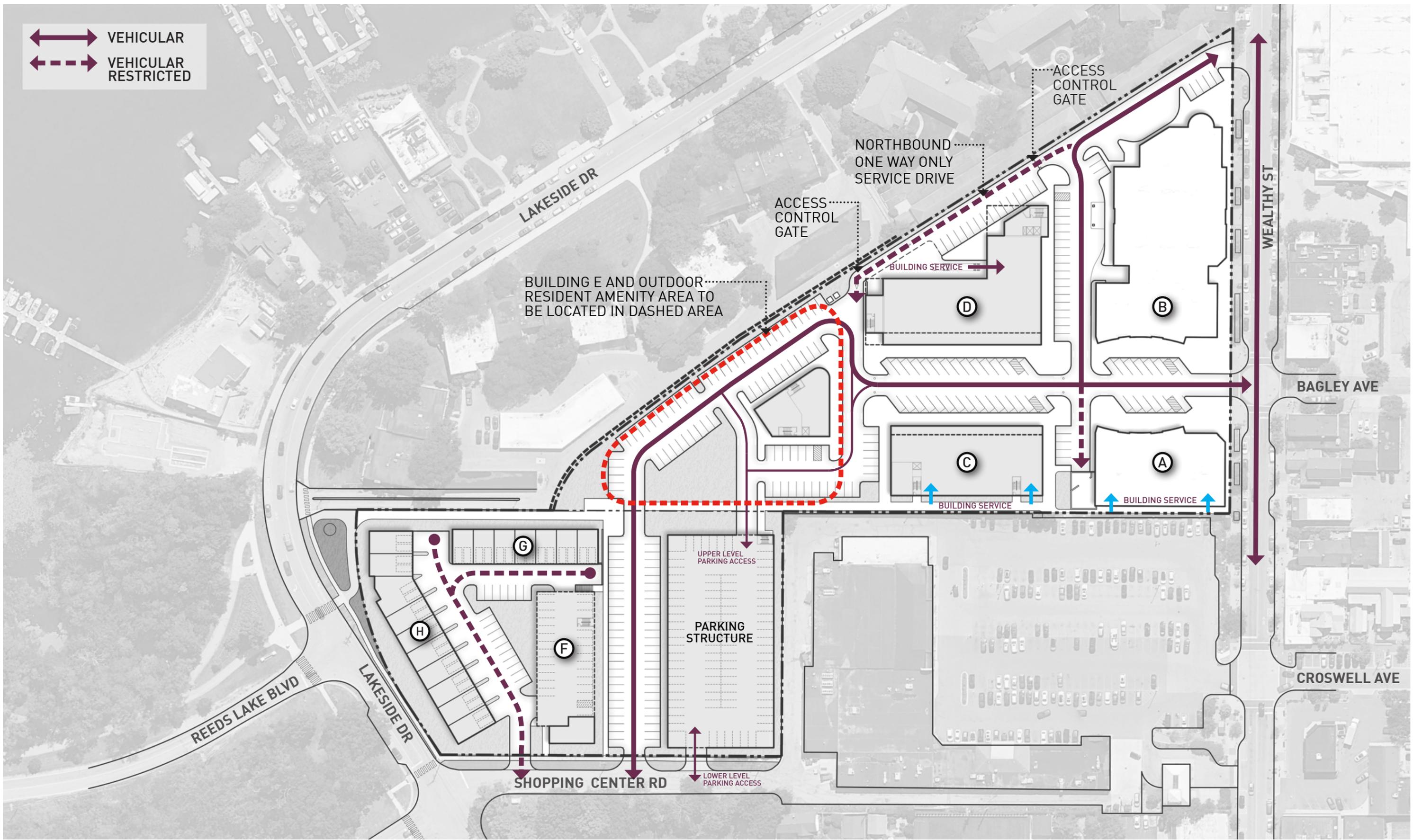
<b>SUMMARY OF CHANGES COMPARED TO PREVIOUS PROPOSAL</b>				
		<b>previous</b>	<b>proposed</b>	<b>CURRENT DESIGN HIGHLIGHTS</b>
Existing C-1 USE AREA		77,500	77,500	CURRENT EXISTING C-1 SPACE IN BLDGS A + B TO REMAIN
New C-1 USE AREA		56,970	31,930 to 35,930	37% to 44% REDUCTION - 21,040 to 25,040 LESS C-1
residential units		180	149	17% REDUCTION - 31 LESS RESIDENTIAL UNITS
parking spaces		583	525	EXCEEDS THE PARKING RATIO FORMULA
total bldgs in PUD		9	8	
Bldg C		5 levels	4 levels	REDUCTION OF ONE LEVEL
Bldg D		7 levels	5 levels	REDUCTION OF TWO LEVELS
Bldg E		5 levels	5 levels	NO CHANGE
Bldg F		4 levels	4 levels	NO CHANGE (3 levels with parking garage below)
Bldg G + H (townhomes)		3 levels	3 levels	NO CHANGE (2 levels with parking garage below)
parking structure		3 - 4 levels	2 levels	REDUCTION OF 1 TO 2 LEVELS

← PEDESTRIAN →



 BIKE PATH  
 BIKE PARKING NODE





- PEDESTRIAN
- BIKE PATH
- BIKE PARKING NODE
- VEHICULAR
- VEHICULAR RESTRICTED

