



SHEA CHARLES
CITY MANAGER

CITY OF
EAST GRAND RAPIDS

6

750 LAKESIDE DRIVE SE • EAST GRAND RAPIDS, MICHIGAN 49506

(616) 940-4817

www.eastgr.org

MEMORANDUM

TO: Honorable Mayor and City Commissioners
FROM: Shea Charles, City Manager
DATE: August 27, 2025

RE: Gaslight Investors – Revised Concept Plan and Draft Ordinance & Resolution.

During the July 21st City Commission meeting the draft Gaslight Investors Resolution and Ordinance were reviewed and changes were requested. City representatives have met with Gaslight Investors and reviewed the proposed modifications. As expected, Gaslight Investors were amenable to some of the requested changes and have concerns with others.

REVISED CONCEPT PLAN – AUGUST 27, 2025

While discussing the requested changes with Gaslight Investors, specifically issues associated with Building E (location & uses) and internal circulation issues, the developers felt submitting a revised plan was the best course of action. Attached is an updated plan which removes Building E and reorientates the vehicular path through the development. Building E's commercial and residential square footage was added to Building C with an expanded footprint. The adjustment has led to the creation of a social hub and multi-purpose commercial incubator space to the north of Building C. Total commercial square footage and requested residential units remain the same.

Gaslight Investors will attend Tuesday September 2, 2025, the City Commission meeting. They will review the revised plan and provide additional imagery associated with the open space.

SUMMARY OF REQUESTED CHANGES – STATUS

Below is a summary of the changes and status. Representatives from Gaslight Investors will be present at the next meeting when this is discussed to answer any questions and address why they did not accept the changes requested.

Section	Requested Change	Status
<p>Ordinance Section 1 Section 6(b)</p>	<p>(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.</p> <p>Requested Change- “unless a single extension of not more than one year is granted in accordance with Section 5.51 of the Zoning Ordinance.”</p> <p>NOTE: This modification may not be necessary. Section 5.51 gives the City control over whether extensions are given, and extensions are only to be given if “unforeseen difficulties beyond the control of the applicant exist.”</p>	<p>Gaslight Investors agreed to the modification, staff notes granting an extension is solely at the City’s extension.</p>
<p>Ordinance Section 1 Section 6 (c)</p>	<p>(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.</p> <p>Requested change – Add after “phase” in the second line – “but not more than 3 phases”</p>	<p>Gaslight Investors has requested three phases and allows for the parking garage to be built outside any phases.</p>

Section	Requested Change	Status
Ordinance Section 2	<p><u>Effective Date.</u> 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.</p> <p>Requested Change – Add language the Developer’s written acceptance will be given within 45 days of City approval.</p>	Gaslight Investors has accepted this change.
Resolution - Number 2 Subsection 3(b)	<p>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.</p> <p>Requested Change – Add language of no more than three phases.</p>	Gaslight Investors has requested three phases and allows for the parking garage to be built outside any phases.
Resolution – Number 2 - Subsection 3(q)	<p>(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.</p> <p>Requested Change – Modify language to state use, do not include flexibility.</p>	With the elimination of Building E this is no longer an issue. Revised resolution language reflects this change.

Section	Requested Change	Status
Resolution Number 4 - Section 5 (a)	<p>(a) All applicable provisions of Article VI Planned Unit Development of the Zoning Ordinance are met;</p> <p>Requested Change – All attached conditions and applicable provisions of Article VI Planned Unit Development of the Zoning Ordinance are met to the satisfaction of the City Commission.</p>	Accepted
Resolution Number 4 - Section 5 (c) 2. C	<p>Section 5 (c) 2. C c. Providing open space and public plazas and features,</p> <p>Requested Change – add word public back.</p>	Gaslight Investors has not agreed to this change. They will provide an overview to the City Commission at the meeting. Revised Resolution has removed this section.
Restatement of Conditions	<p>(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.</p> <p>Requested Change – add word public back.</p>	Gaslight Investors has declined this change.

Section	Requested Change	Status
Restatement of Conditions	<p>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.</p> <p>Requested Change – Identify what standards will be address to by the traffic engineer. Additionally, the language City Commission will make this decision after consultation with the City’s traffic engineer.</p>	Gaslight Investors has concurred with this request.
Restatement of Conditions	<p>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.</p> <p>Requested Change – Is there an accepted standard for this condition?</p>	City staff has not found an accepted standard for this condition as the site had been previously developed and there are no natural features (i.e. forested areas, or other undisturbed areas) impacted by this proposal. See Prien & Newhoff (attached)
Restatement of Conditions	<p>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).</p> <p>Requested change – consider adding back pervious pavement into language</p>	Gaslight Investors has agreed to meet applicable storm water management standards and rules.

Section	Requested Change	Status
City Commission Conditions	<p>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.</p> <p>1. Requested Change – add language that standard will meet or exceed City standards.</p> <p>2. Requested Change – request to make streets public.</p> <p>3. Requested Change – add language design will be revisited every ten years to conform to city practices.</p>	<p>1. Gaslight Investors has accepted modification #1.</p> <p>2. Gaslight Investors has declined the request to make the streets public. They will provide an overview to the City Commission when it is on the agenda.</p> <p>3. City staff are seeking clarification of this request.</p>
City Commission Conditions	<p>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.</p> <p>Requested Change – add language the developer will close streets at the request of the City.</p>	<p>Gaslight Investors has declined this modification. They will provide an overview to the City Commission when it is on the agenda.</p>
City Commission Conditions	<p>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.</p> <p>Requested Change – add language clarifying who is funding. Additionally, language about if not funded project would not be approved.</p>	<p>Gaslight Investors has agreed to language.</p>
City Commission Conditions	<p>7. Traffic circulation within the PUD area shall be addressed to the satisfaction of the City traffic engineer.</p> <p>Requested Change – add language defining what is being met.</p>	<p>City staff is working with City traffic engineer to find language that meets the intent of this request.</p>

Section	Requested Change	Status
City Commission Conditions	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. Requested Change – add “public” into section.	With the revised concept plan this language has been removed from the draft.
General	Adding new language noting that all conditions must be met for final approval.	Gaslight Investors has accepted this change.

CHARACTER DISCUSSION

The City Attorney continues to research various court cases regarding the definition of character. Varnum’s research has not found any cases that provide clear guidance or any kind of “test” that can be used when deciding the Character question. One case that Mr. Huff notes that is relevant to the discussion is an unpublished Michigan Court of Appeals case from 2009 involving Lakewood Hills. The Court of Appeals noted a Circuit Court ruling that referenced the Jade Pig project.

“Petitioner appealed the denial of its variance requests to the Kent Circuit Court. In a written opinion affirming respondent’s decision, the circuit court observed that “preserving a community’s identity is a legitimate objective” and “so is preserving an area’s aesthetics.” The court also stated that petitioner was not entitled to the variances simply because a variance had been given to another developer:

Because the other developer’s structure will be set back from the street, not on it as will be petitioner’s proposed new structures, and will be behind petitioner’s current structure, that other structure will not be as looming as what petitioner proposes to build, so that it will not similarly alter the character of the neighborhood. Hence, because what petitioner wants to build is different enough from the other developer’s proposed structure, consistency, even if required by law, does not preclude denying petitioner’s application for a variance.”

The Court of Appeals was not opining on the character question, but procedural matters of the East Grand Rapids Zoning Board of Appeals, which was the City Commission at the time. The Circuit Court ruled that the 2004 Jade Pig project did not alter the character of the area as the taller buildings are set back from the street front. Mr. Huff also shares that while unpublished opinions are normally not considered “case law”, given this one speaks directly to the property in question it is relevant. Mr. Huff will be able to speak to the court’s opinion at the meeting if there are questions.

City Planning Consultant Paul LeBlanc provides the attached memo discussing essential character for the Commission’s information.

NEXT STEPS

Gaslight Investors will be available at the meeting to address questions from the City Commission. They will also be able to provide their view on the requested changes which they have declined to accept. At that point the City Commission can either choose to move forward with the current drafts, direct staff to continue conversations to see if a resolution can be found, or decide these matters are basis for denial.

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

Shea Charles, City Manager

GASLIGHT VILLAGE

PUD AMENDMENT CONCEPT PLAN

27 AUGUST 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)** (REMOVED)
- (F)** NEW RESIDENTIAL
FOUR STORY (LOBBY/PARKING ON-GRADE WITH THREE LEVELS RESIDENTIAL ABOVE)
- (G)** NEW RESIDENTIAL
THREE STORY (PRIVATE GARAGE PARKING ON-GRADE BELOW)
- (H)** NEW RESIDENTIAL
THREE STORY (PRIVATE GARAGE PARKING ON-GRADE BELOW)
- NEW PARKING
TWO STORY PARKING STRUCTURE

ALL DRIVES ARE TWO-WAY TRAFFIC
INCLUDING EAST OF BUILDING D

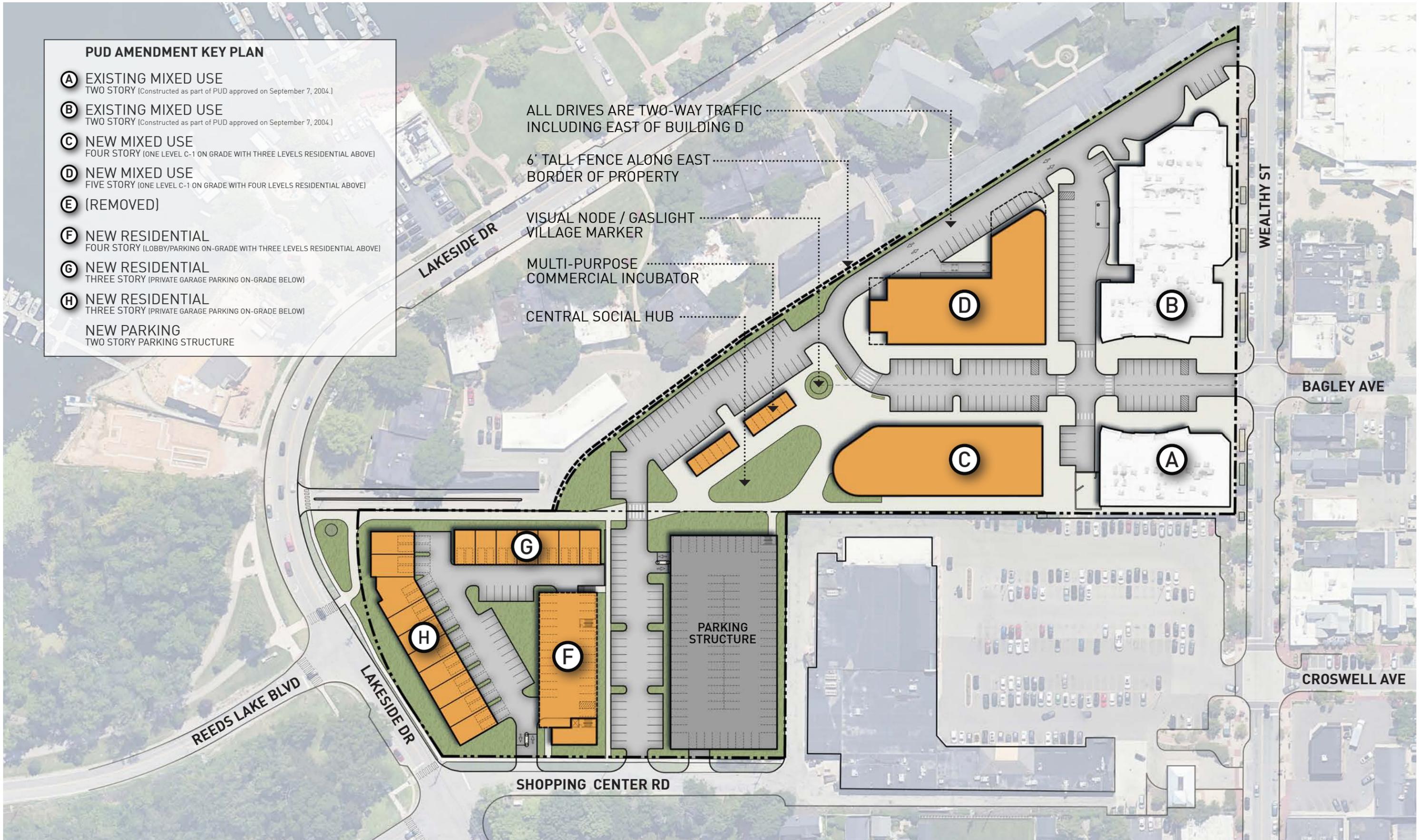
6' TALL FENCE ALONG EAST
BORDER OF PROPERTY

VISUAL NODE / GASLIGHT
VILLAGE MARKER

MULTI-PURPOSE
COMMERCIAL INCUBATOR

CENTRAL SOCIAL HUB

PARKING
STRUCTURE



GASLIGHT PUD AMENDMENT

8.27.2025

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	15,000		Building C is 1 level of C-1 Uses with 3 residential levels above	3/1000	45
BLDG C : RESIDENTIAL		42	3 levels with 14 units per level	1 space / unit	42
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	0		BLDG E HAS BEEN REMOVED FROM THE PLAN	3/1000	0
BLDG E : RESIDENTIAL		0	BLDG E HAS BEEN REMOVED FROM THE PLAN	1 space / unit	0
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 on-grade garage.	2 spaces / unit	14
BLDG H : RESIDENTIAL		10	Building H is 10 townhomes. Each townhome has a 2 stall on-grade garage + space for two visitors	2 space / unit	20
TOTAL AREA OF C-1 USE	109,500		77,500 USF existing + 32,000 USF proposed	TOTAL PARKING DEMAND	493
TOTAL RESIDENTIAL UNITS		147	17 townhomes + 130 units	TOTAL PARKING PROPOSED	493

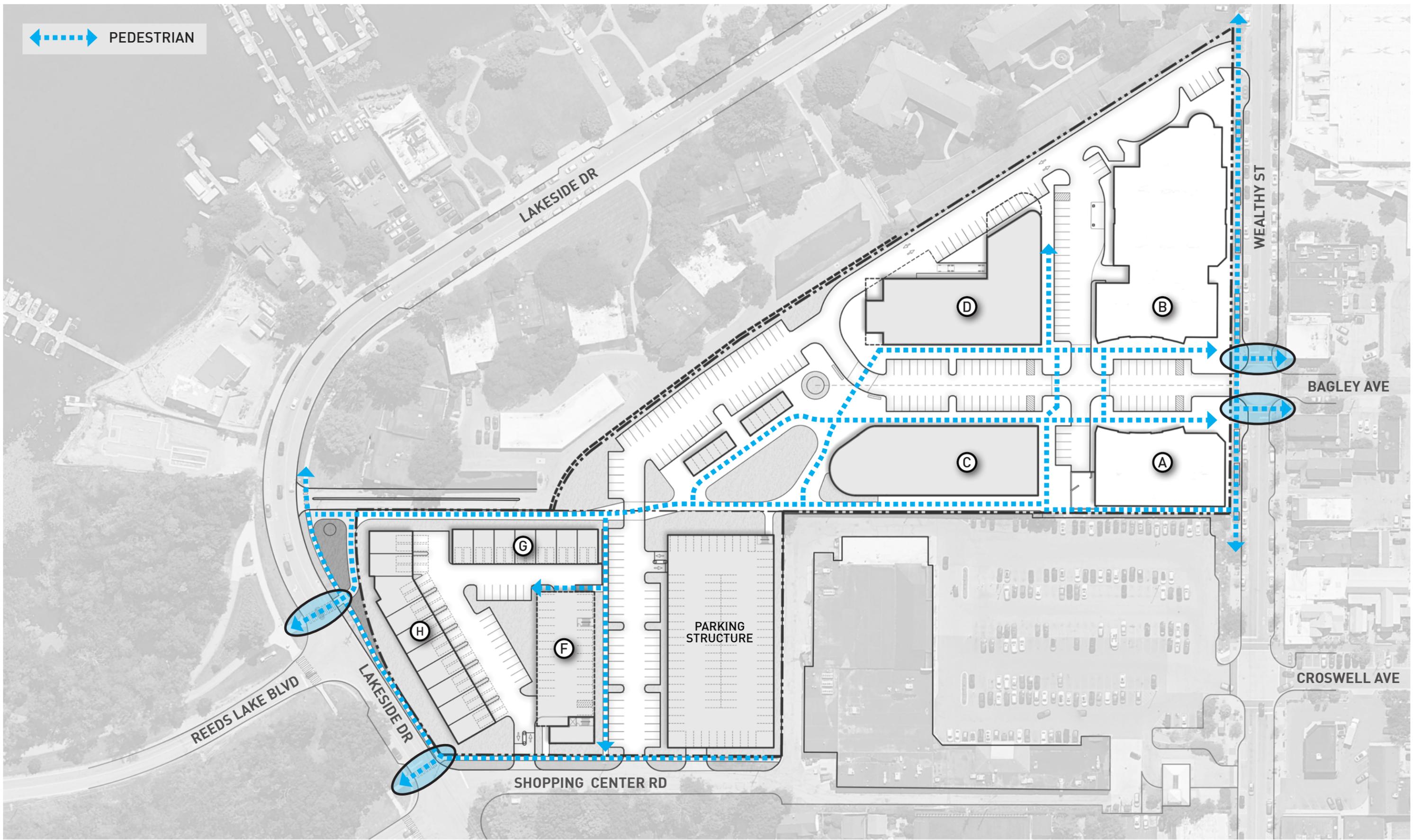
Final parking study and shared parking ratio to be prepared for final site plan submission.

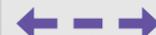
Visitor "driveway" parking spaces (20) are available for building H resident guests.

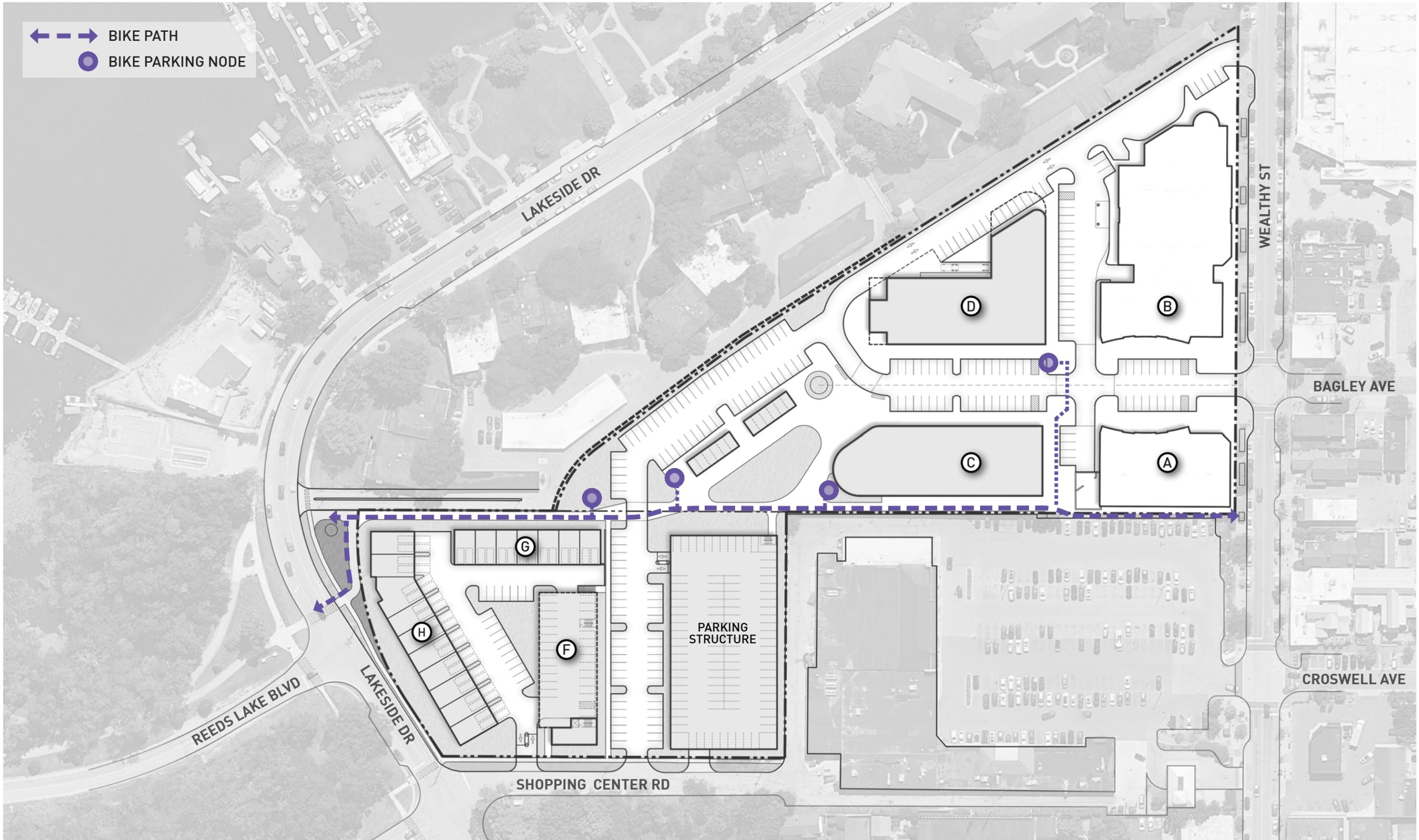
SUMMARY OF CHANGES COMPARED TO PREVIOUS PROPOSAL (FEB 2024)

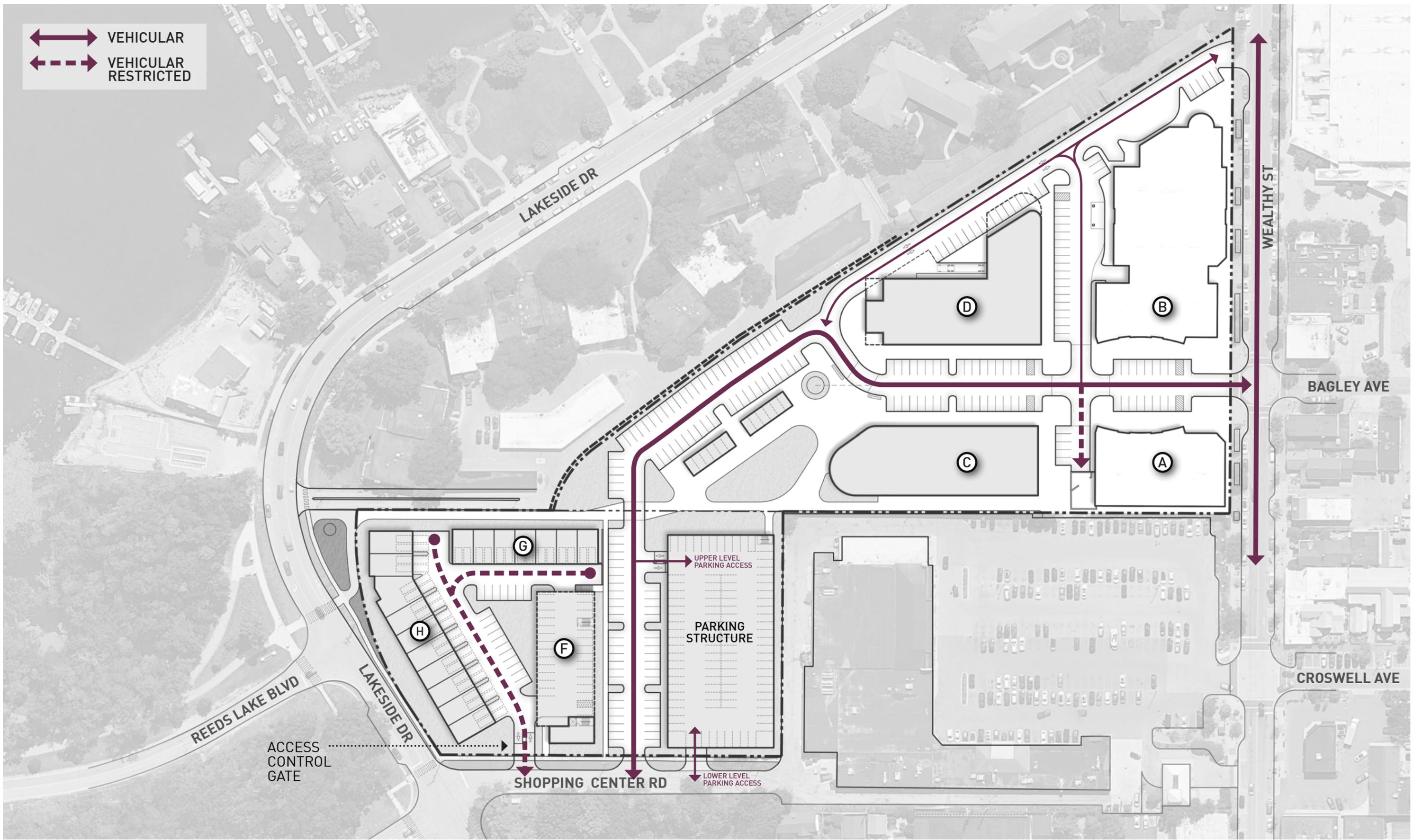
	previous (FEB 2024)	proposed (8.26.2025)	CURRENT DESIGN HIGHLIGHTS
Existing C-1 USE AREA	77,500	77,500	CURRENT EXISTING C-1 SPACE IN BLDGS A + B TO REMAIN
New C-1 USE AREA	56,970	32,000	44% REDUCTION - 24,970 LESS C-1
residential units	180	147	18% REDUCTION - 33 LESS RESIDENTIAL UNITS
parking spaces	583	493	PROPOSED PARKING RATIO FORMULA
total bldgs in PUD	8	7	
Bldg C	5 levels	4 levels	REDUCTION OF ONE LEVEL
Bldg D	7 levels	5 levels	REDUCTION OF TWO LEVELS
Bldg E	5 levels	REMOVED	BUILDING E WAS REMOVED FROM PLAN
Bldg F	4 levels	4 levels	NO CHANGE (3 levels with on grade parking below)
Bldg G + H (townhomes)	3 levels	3 levels	NO CHANGE (garage parking below)
parking structure	3 - 4 levels	2 levels	REDUCTION OF 1 TO 2 LEVELS

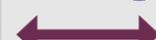
PEDESTRIAN

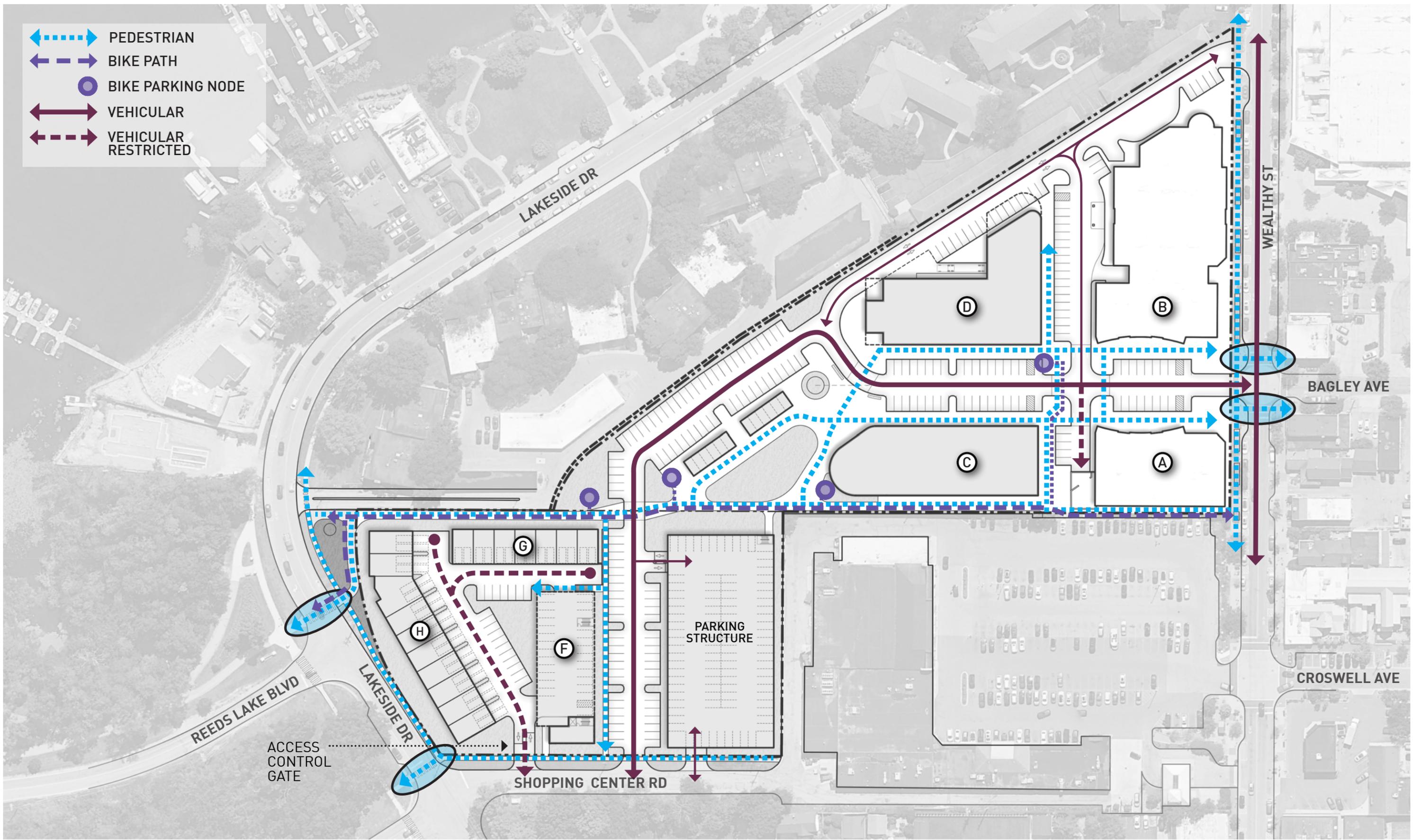


 BIKE PATH
 BIKE PARKING NODE





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



Jay Gianotti, Zoning Administrator Memo



CITY OF EAST GRAND RAPIDS

750 LAKESIDE DRIVE SE • EAST GRAND RAPIDS, MICHIGAN 49506
(616) 940-4817 www.eastgrmi.gov

JAY GIANOTTI, AICP
ZONING ADMINISTRATOR

MEMORANDUM

TO: Honorable Mayor and City Commissioners
FROM: Jay Gianotti, Zoning Administrator
DATE: August 27, 2025

RE: **Gaslight Investors Planned Unit Development Amendment Introduction**
2255 Wealthy St. SE and 515 Lakeside Dr. SE (PPNs 41-14-33-276-032 and 41-14-33-276-029)

Action Requested:

That the City Commission reviews and introduces a PUD ordinance amendment and resolution for the Gaslight Investors PUD and revised concept plan, as well as provide input related to each one of the Standards of Review in Section 5.49 of the zoning ordinance.

Background:

On May 3, 2024, Gaslight Investors first submitted an application regarding a revised and amended site plan for the Planned Unit Development (PUD) at 2255 Wealthy St. and 515 Lakeside. The original PUD plan, then referred to as the Jade Pig PUD, was approved in 2004. The first phase of this development was approved and constructed in 2005. No further development on this site has occurred since then. An amendment to this original PUD was approved in 2008, but no construction ever took place. Thus, that approval was voided. A revised concept plan for the site was introduced to the Planning Commission in 2020, but because of factors related to the COVID-19 pandemic, the plan never advanced beyond that stage. The originally approved PUD plan thus remains in place as a valid actionable plan to this day.

As defined by the zoning ordinance, this applicant’s proposed revisions and amendments constitute a major change to the previously approved PUD preliminary plan and agreement. Therefore, the applicants are required to proceed through the entire PUD approval process for this revised plan. This involves two sets of hearings at the Planning and City Commission levels. A basic timeline of this process, including the current step in this process, is shown in Exhibit 1. This current stage – the PUD concept plan stage – is solely for review of the overall concept plan. Section 5.47 of the zoning ordinance lists the materials that are required at this stage. Note that final building designs, floorplans, and details such as building materials, public/private

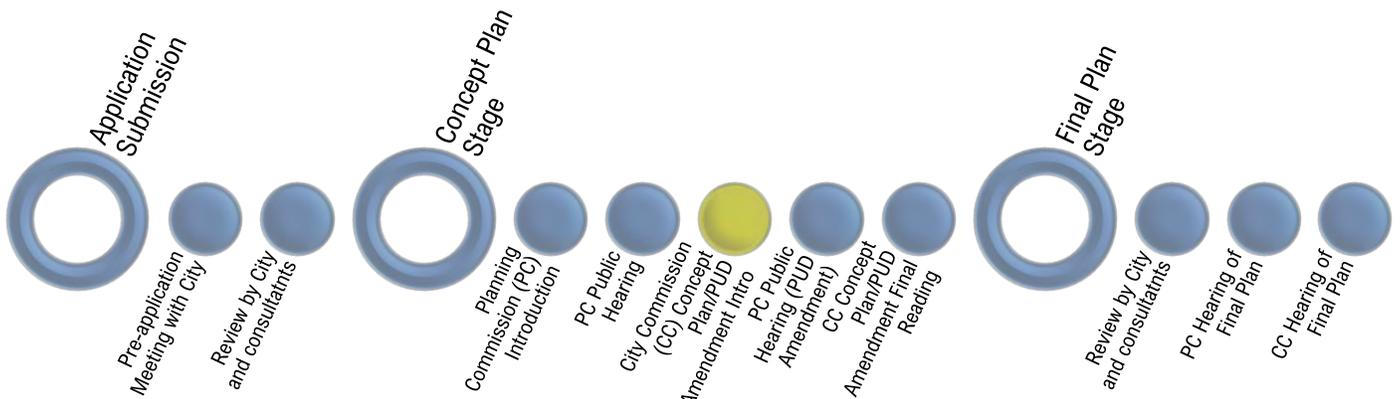


Exhibit 1 – General PUD approval timeline with the current step highlighted in yellow. The formal public hearing of the concept plan was held on February 17, 2025, with additional revisions presented on March 31, 2025, July 21, 2025, and September 2, 2025. The final part of this step would be the consideration and approval of a corresponding PUD amendment, followed by a public hearing for the PUD amendment with the Planning Commission and final reading by the City Commission.

amenities, and specific tenants or occupants are not provided or required at this stage. The concept plan is intended to simply show the basic layout of proposed buildings, streets, and other important elements that illustrate the intended vision for the site. More detailed designs and requirements are considered at the third and final review stage. The purpose of a concept plan approval is to give the applicants reasonable assurance that their proposed concept is viewed favorably so that the final site plan and detail designs can be produced with some level of confidence. The final site plan will be judged against the approved concept plan to ensure it remains in general compliance with what the City Commission approves. The City Commission may make suggestions or recommendations regarding elements they would like to see in the final plan, but these are not required to be presented or approved at this stage.

Summary of Previous Actions:

To date, the formal review process for this revised concept has lasted over one year. A revised concept plan was first introduced to the Planning Commission on June 11, 2024. After providing feedback on the presented concept, the Planning Commission voted unanimously to move the concept plan to a public hearing. In the interim, the City hosted an open house on June 24 to give the public a greater opportunity to view the concept plan and ask questions to the developer and architects. Over 40 residents attended this open house; the comments received at this open house are attached to these materials. Table 1 shows a summary of the major themes emerging from the open house feedback. A formal public hearing with the Planning Commission was then held on July 9, 2024. At the end of this meeting, the Planning Commission requested additional information regarding the project’s impact on traffic, pedestrian safety, and mobility options. This additional information from the applicants was introduced at a public hearing on November 12. After considering all of this information, the Planning Commission voted 8-1 to recommend approval of the concept plan with ten conditions. Though not explicitly stated, the City interprets that these conditions would need to be met at the final plan stage. Additionally, the Planning Commission requested the City to increase the public notification radius for this project to 1,000’ instead of the standard 300’ set forth in State law.

This version of the concept plan was introduced to the City Commission at their January 21, 2025, meeting, where it was unanimously voted to advance the concept plan to a public hearing. This public hearing was held on February 17, 2025, at the EGR Performing Arts Center. An additional open house was held on February 4 to allow residents the opportunity to view the proposed concept plan. Additional public comments regarding the proposed concept plan have been made at various master plan subarea meetings, planning commission meetings, and city commission meetings throughout the year. Since the February 17 public hearing, the applicants have made multiple revisions to the concept plan to reduce the overall density and building heights. Revised concepts were presented at the March 31, 2025, May 5, 2025, and July 9, 2025, City Commission meetings. The most recent version, which is now under consideration, was prepared on August 27, 2025, in conjunction with the draft PUD amendment and resolution now under consideration.

Table 1 – Major feedback themes from June 24, 2024 Open House Engagement

Development Design	Circulation/Access	Other
<ul style="list-style-type: none"> • Excitement for new development • More green space and public space • Concerns about seven-story building height • Concerns on parking - amount and location (less street parking) 	<ul style="list-style-type: none"> • Traffic study - take into account vehicles, pedestrians, bicycles, and transit • Consider additional facilities for handling increased traffic, such as traffic light (roundabout not favored) • Keep easy pedestrian access for apartments/condos on Lakeside 	<ul style="list-style-type: none"> • Provide streetscape designs for roads • More emphasis on environmental sustainability • Will increased residential density impact schools?

In comparing the current concept to what was first introduced in 2024, there are now a total of eight buildings proposed. However, the orientation and function of these buildings have changed over time, and more open space has been provided compared to previous iterations. Of note, the former Building E that terminated at the Bagley Ave. street axis has been removed with open space replacing the area where it was proposed. The commercial and residential space proposed for this building has now been incorporated into Building C, which now has a larger footprint compared to previous concepts. Flanking the open space to the northeast are two “commercial incubator” spaces to provide a different commercial space option compared to the rest of the site. Overall, the amount of commercial space and residential units is essentially the same as the May and July 2025 concepts. Several buildings have been reduced in height; now, none exceed five stories compared to one building originally featuring seven stories. The height of the new parking deck has also been reduced. To make up for the loss of parking capacity, some additional surface parking has been added to the site. In response to multiple requests for additional greenspace, a larger outdoor amenity area, dubbed the “central social hub”, has been added where Building E previously was proposed. Table 2 shows a brief summary of major changes to the site plan from 2004 to now. The applicants have provided preliminary analysis to address some of the comments made at the Planning Commission public hearing. These include an updated parking study, additional renderings illustrating building massing and pedestrian activity, updated multi-modal movement diagrams, and a proposed timeline for preparing the final traffic, parking, and multimodal impact studies. These are included with these materials along with the original submission materials.

After extensive discussion and feedback, the City Commission allowed the City and consultants to prepare an amendment and resolution to approve a revised concept plan based on the May 5 version of the concept plan. This was initially discussed at the May 19, 2025, City Commission meeting. Feedback at that time from the public and Commissioners has been reviewed and used to revise these materials to their current form. This includes revision of the Planning Commission’s original conditions as well as the inclusion of seven new conditions. The new conditions are as follows:

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.

Table 2 – Summary of major PUD plan changes from approved 2004 plan to 2025 proposed plan

Approved 2004 PUD	Proposed 2024 PUD Amendment (August 2025)
7 total buildings with retention of existing parking garage <ul style="list-style-type: none"> • 2 Commercial buildings • 1 Parking garage (existing) • 1 Mixed-use building (commercial & residential) • 3 Residential buildings 	8 total buildings (2 already constructed) including new parking garage <ul style="list-style-type: none"> • 2 Commercial buildings (existing) • 1 Parking garage (new) • 2 Mixed-use buildings (commercial and residential) • 1 Residential building • 2 rows of Townhouses
Tallest building: 7-stories, 79’ height (to roof midpoint; appx. 94’ to roof peak), solely for residential use	Tallest building: 5-stories, appx. 70’ max. height, mixed-use (commercial and residential); see also Table 6
107 residential units (condominiums)	147 residential units, including condos, apartments, and townhomes. Project is committed to reserving approximately 10% of the residential units as attainable rental units that range between 100% and 120% of the area medium income (AMI). (may be subject to future Brownfield Redevelopment Authority consideration)
99,420 s.f. commercial	109,500 s.f. commercial
687 total parking spaces (only 414 ever present at once)	493 total parking spaces

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.

Tonight's meeting is part of the final step in the concept plan phase where the final draft of the concept plan, PUD Amendment, and PUD Resolution is being presented for City Commission review. The text of the PUD amendment, resolution, and updated concept plan are included with these materials. Redlines versions of the PUD Amendment and Resolution are also provided to help compare what language is being changed. For reference, additional studies and other data presented at previous meetings can be found in the [May 19 agenda materials](#).

Concept Plan vs. Final Plan:

As noted throughout this process, the PUD approval process involves first the approval of a concept plan, then the later approval of a final plan before any development can begin. The following sections explain the differences to help reduce confusion about what is expected at each step.

Concept Plan The concept plan is the first plan for development that is reviewed. It is only intended to show the general relationships between the buildings and circulation on the land, including basic massing, location, and function. The overall intent of a concept plan is to show what might be possible to develop. For example, if someone was looking to develop a vacant residential lot, they would first need to create a concept for the lot showing where the house and any accessory buildings would go, how access to the house and accessory buildings will be handled, and a check for what the limits for development might be based on factors such as budget, intended usage, and ordinance requirements. The owner might have specific ideas about what appliances, fixtures, materials, furniture, and other items they might want in the finished home and lot, but these points are irrelevant to consider without an accepted concept plan in place. For these reasons, it is not practical or expected to see such details with the concept plan. This does not mean that any requested studies and additional information are not important, only that the plan must pass through this phase first to allow for the plan development required to give those studies any real-life meaning.

Final Plan The final plan is the second and final plan for development that is reviewed. This plan includes the final design of the proposed buildings, including locations, façade design and shape, floorplans, materials, etc., as well as final designs and locations for roadways, public amenities, landscaping, and the like. With this level of detail, it will be possible to provide more comprehensive studies related to parking, traffic, environmental, infrastructure, and other items required with a PUD plan approval. The final plan is also judged based on conformity with an approved concept plan. Crucially, the final plan cannot be created, much less reviewed, without an approved concept plan first because it is not feasible to create such details without having an approved concept as its basis.

It should be stressed that approving the concept plan in its current form does not mean that the City is barred from requesting or requiring further modifications at the Final Plan stage. The concept plan, if approved, simply defines the parameters that the Final Plan must conform to before final approval is granted. It is still subject to any conditions that are proposed by the Planning and City Commissions. It is expected that refinements to the concept plan will be made in the Final Plan stage as the overall uses are more clearly defined, the building & amenity designs are developed, and more detailed studies are completed. If any issues or concerns arise as a result of these additional studies or other items, the City and Commissions can still require they be corrected before approving the final plan.

One other point to mention is that for the purposes of approving the concept plan, ***the first and foremost responsibility is to follow the required standards of review for the concept that the applicant is presenting.*** Throughout this process, multiple ideas of what could be developed here have been proffered. However, the standards of review must only be judged on what the applicant has presented, not what other alternatives might exist. This is no different from any other zoning or site plan review that the City does: ***if the plan presented by the applicant meets the required standards of review, regardless of if other things could be developed, then the concept plan must be approved. Any vote to deny must be reasonably linked to one of the standards of review.*** Similarly, topics that have been brought up that are not listed as one of the standards of review cannot be used as a basis of denial.

Review of Standards:

To approve a major change to a PUD agreement, the following criteria under Section 5.49 must be met. ***If all criteria are met, then the Commission is required to grant approval.*** While the City has discretion on deciding whether a PUD can be approved and may also attach reasonable conditions to any approval, Section 503 of the Michigan Zoning Enabling Act clearly states that any decision requiring Planning and/or City Commission approval must be based on a defined set of standards. This ensures that all PUDs, not just the current one under consideration, are judged consistently by the same criteria. The attached memo from City Planning Consultant Paul LeBlanc discusses this in more detail. In short, the required standards of review in Section 5.49 do allow room for discretion and interpretation, but any decision to approve or deny must be factually based and clearly related to these standards.

- A. *The proposed PUD complies with the intent and all qualifying conditions of §§ 5.41 and 5.42 of this article, respectively.*

Staff comments: City staff and consultants believe that this standard is met. The overall mix of uses is quite similar to the originally approved PUD and provides many of the same benefits as the original plan. The revisions from 2024 to now have retained a generally mixed-use development character. Additionally, the 2018 City Master Plan showed having mid-rise building up to seven stories as the preferred development concept for the site. Exhibit 2 shows these renderings for comparison.

There have been multiple comments that the standards in Section 5.47 of the zoning ordinance, pertaining to concept plan review, have not been met. In the City’s and consultant’s view, these standards have all been met to the extent that valid information can be provided at this stage. Table 3 goes over this in more detail.

- B. *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.*

Staff comments: City staff and consultants believe that this standard is met. The 2018 Master Plan provides guidance on what the preferred intent of this area should be. If anything, the proposed uses are more varied than originally conceived. Of note:



Village Address Perspective



Village Address Perspective Land Use

Exhibit 2 – Renderings of preferred PUD site concepts from the 2018 City Master Plan

Table 3 – Summary of Section 5.47 Concept Plan Standards

STANDARD OF REVIEW	STAFF COMMENTS
1. PUD Concept Site Plan, plus list or requirement information.	City staff and consultants reviewed this and found that all elements listed in this section that are relevant to this request are present.
2. Concept plan narrative	This was provided in the applicant’s original submission materials.
3. Table of modification	This was provided in the applicant’s original submission materials.
4. Phasing Plan	This is not applicable at this time as the applicants have not indicated multiple phases of construction. However, the proposed PUD amendment would allow the proposed development to occur in multiple phases if requested. Additional studies for traffic, utilities, parking, etc. may be required at each different phase at the City’s discretion.
5. Additional information requested by the Planning Commission	<p>This section lists examples of items that can be reviewed if <i>requested by the Planning Commission</i> (emphasis added) at the concept plan stage. Any examples listed in this item are not mandatory unless specifically requested. Even then, some studies cannot be fully completed without the details provided in a final plan, meaning the concept plan needs to be approved first to allow the final plan to be created. Nonetheless, the following studies have been provided with the plan to date:</p> <ul style="list-style-type: none"> • Preliminary Traffic/Parking Study – Fleis & Vandenbrink, Progressive Companies • Environmental & Soil Concerns – Prein & Newhof • Preliminary Utility Analysis – City • Building Code Requirements – Cascade Building Inspection Services (attached to materials) • Public Safety Review – EGR Public Safety Dept. (attached to materials) <p>Based on the level of detail required and expected at the concept plan phase, City staff and consultants believe that this standard is met to allow the plan to move to the final plan stage. In summary, the general consensus with these studies is that there are no immediate concerns at this point, though additional studies will still be necessary with the final plan phase. Additional studies can still be required at the final plan stage.</p>

- The proposed plan calls for 32,000 s.f. of new commercial space for a total of 109,500 s.f. This includes the newly proposed “commercial incubator” space that was not a part of the previous concepts. By comparison, only appx. 99,420 s.f. of total commercial space was proposed in the original PUD agreement.
- The number of residential units in this proposed plan would be 147 units. These are comprised of different types of housing such as apartments, condominiums, and townhouses. By comparison, the originally approved PUD plan had 107 housing units, all of them being apartments. The applicant’s materials also indicate a commitment to providing attainable housing with this plan which was not present in the original plan.
- A central open space area, dubbed “social hub”, has been designated for the center of the site. A visual node would align with the Bagley Ave. entrance. The overall area of this space appears to be larger and more centrally located compared to previous concepts.
- The main access for the PUD from the north would be rerouted to connect with Shopping Center Drive at the Greenwood/Lakeside intersection. The existing vehicular access point to the east of Reeds Lake Blvd. would be converted solely to pedestrian access (though the existing access road to

Lakewood Hills Apartments would remain.) This may be preferable from a traffic management standpoint as the current north vehicular access is offset less than 100' from Reeds Lake Blvd. While the City's Master Plan indicates a proposed road connection to the Reeds Lake Blvd. intersection, the overall intent of this recommendation is understood simply to provide a clear and easily accessible north-south connection between Wealthy and Lakeside. In that light, strict adherence to the Master Plan is not necessary if the general intent is still there and current data shows that a better alternative is available¹. A secondary accessway is also proposed at the east edge of the site, A comprehensive traffic impact and pedestrian study for these accessways will be required with the final plan submittal. The study should include additional information on traffic flow and traffic mitigation strategies with this proposed concept.

While there has been extensive discussion on the scale of this proposed concept plan compared to other residential and commercial areas in the City, it is important to note that much of the proposed development would meet the City's existing zoning ordinance requirements. Table 4 analyzes this in more detail. Based on the proposed development in this concept plan, development on the 2255 Wealthy parcel is only compared to C-1 standards, and development on the 515 Lakeside Parcel is only compared to MFR standards. As shown here and in Table 4 below, ***the proposed development would already meet most of the standard C-1 and MFR zoning requirements.*** The deviations that do appear are mostly related to height and parking. ***These should not be seen as deficiencies*** as PUD zoning allows for allowances outside of traditional zoning. The main focus of the PUD review, then, should be on how any deviations from the zoning ordinance are handled in the concept plan. For example:

- While the height of the proposed buildings exceeds the zoning ordinance requirements, it would be less than the concept plan that was approved in 2004 and amended in 2008. ***Additionally, the adjacent Lakewood Hills Apartments development has a consent agreement in place that allows them to construct three new buildings up to 5 stories and 48' in height to the roof midpoint and 58' to the roof peak. This agreement is still in effect and has no expiration date, meaning it could be implemented at any time.*** In this light, the height of the proposed buildings at the Gaslight Investors site would be very comparable to the Lakewood Hills Apartments concept plan. Finally, as will be discussed below, the City's current master plan currently recommends this site to be used for a mid-rise mixed-use development as proposed in this concept plan.
- While the zoning ordinance generally requires more off-street parking than what this concept plan provides for, the parking studies done to date have concluded that with shared parking, the parking needs for these uses can still be met with the parking lots and structures proposed². This could constitute an overall benefit as fewer parking areas can leave room for other desirable open space and amenities.

There have been multiple comments regarding the site's original PUD approval in 2004 and why the current concept plan appears to deviate from that. Parking and streetscaping have been examples of items cited in this regard. It should be noted that, with regards to streetscaping, many of the provisions in the 2004 PUD amendment were specific to the City's overall update of the Wealthy Street landscaping at the same time, so any references to those conditions would already have been fulfilled. References to contributions for other street improvements are deemed better handled with the PUD agreement at the final plan stage. With regards to parking and usage of the former parking deck, the City Commission has already approved the demolition of the old deck so any conditions related to that would be nullified. Any other conditions related to parking would also be deemed more appropriate in the PUD agreement made with the final plan.

It is also worth noting that the originally approved 2004 PUD plan also had multiple deviations from the zoning ordinance at the time. Examples include:

¹ Though not specifically referenced in the Master Plan, the proposed concept also allows for future connections to the D&W Shopping Center site should opportunities arise.

² Shared parking presumes that different uses have different parking demands during the day (for example, parking for residential uses may not be needed during daytime hours, and parking needs for commercial/office uses may be lessened in evening hours) and thus the provided parking spaces can be used to help satisfy parking requirements for multiple uses.

- The tallest buildings in the 2004 PUD were seven stories and 79' height to the midpoint of the roof. The maximum allowable height at the time was 2 stories at 28' height in the C-1 District and 2.5 stories and 35' in the MFR District. At least five originally proposed buildings would have exceeded this requirement.

Table 4 – Comparison of PUD Development Features with Standard Zoning Requirements

Standard	Requirement	Compliant?	Comments
C-1 Standards (2255 Wealthy Parcel)			
Min. Area	0 s.f.	✓	
Min. Lot Width	0'	✓	
Min Front Setback	0'	✓	
Min. Side Setback	0'	✓	
Min. Rear Setback	0'	✓	
Max. Building Height	40'	✗	Tallest building up to 5 stories, though 2004 PUD approval allowed up to 7 stories and 79' height to roof midpoint. See Table 6 for additional height comparisons.
	3 stories		
Parking – Commercial	Varies	T.B.D. with Final Plan	More details of commercial uses needed to judge
Parking – Residential	1.5 spaces/d.u.	✗	PUD allocates 1 space/d.u., though this could be mitigated with shared parking
MFR Standards (515 Lakeside Parcel)			
Min. Lot Area/unit	2,100 s.f.	✓	
Min. Lot Width	n/a	n/a	
Min. Front Setback	10'	✓	
Max. Front Setback	25'	✓	
Min. Side Setback	10'	✓	
Min. Street Side Setback	12'	✓	
Min. Rear Setback	25'	✗	Parking garage appears to have <25' setback from rear (south) lot line
Max. Building Height	35'	T.B.D. with Final Plan	More details of building design needed to judge
	2.5 stories	✗	Building F would have at least 3 stories; Townhouses could qualify as 2.5 stories if highest story is less than 50% of area of floor below it
Max. Building Coverage	60% lot area	✓	City estimates proposed building coverage to be 44% of lot area
Max. Lot Coverage	80% lot area	✓	City estimates proposed total lot coverage to be 74% of lot area
Rooftop terrace setback, Front	20'	T.B.D. with Final Plan	More details of building design needed to judge
Rooftop terrace setback, Side	10'	T.B.D. with Final Plan	More details of building design needed to judge
Rooftop terrace setback, Rear	25'	T.B.D. with Final Plan	More details of building design needed to judge
Max. Uninterrupted building façade	30'	T.B.D. with Final Plan	More details of building design needed to judge
Min. Access Driveway width	24'	✓	
Min. Access Driveway Side Setback	5'	✓	
Parking	1.1-1.8 spaces/d.u., based on # bedrooms	✗	Townhouses (G & H) provide 2 parking spaces per unit. Building F allocates 1 space/d.u., though surface spaces around Building F could also be used to satisfy demand in off-hours.

- Building 5 in the 2004 PUD had a total of 38 dwelling units as planned. The MFR Regulations at the time limited the maximum number of dwelling units in a building to 24, and then only with ZBA approval.
- The 2004 PUD had a total of 687 parking spaces for the site, including the former Jacobson’s parking deck. This is still less than what would have normally been required at the time; the Findings of Fact from 2004 suggest that between 750-812 parking spaces would normally have been required for the proposed uses in total.

In all these cases, the City Commission determined that allowing these and any other deviations were acceptable based on the benefits provided by the plan as a whole. Thus, the City Commission determined that none of these items were a detriment in this location or with the approved plan. The same must be considered in this amended concept plan review: while these comparisons to the zoning ordinance have been provided as a reference, the concept plan does not need to fully comply with the zoning ordinance requirements. Instead, the concept plan must be judged as a whole as to whether the plan’s benefits outweigh what would normally be permissible.

With regards to residential density, the City also compared the proposed density to other larger multi-family developments in the City³. All density calculations use the entire area of the lot as its basis (as explained below). These results are shown in Table 5, generally ordered from lowest to highest density. In summary:

- All of these developments, regardless of their zoning, would be compliant with the City’s current maximum residential density requirements for multi-family developments.
- The proposed Gaslight Investors concept plan would not be the densest residential development in the City. That would be Croswell Mews, which is developed at 19.8 du/acre.
- The current density of Lakewood Hills Apartments is 14 du/acre. This is higher than the proposed 13.1 du/acre density of the 515 Lakeside parcel. If/when their 65-unit plan per their consent agreement is constructed, that would jump to 17.9 du/acre, higher than the residential density of the entire proposed Gaslight Investors concept plan.
- Even if the proposed density exceeded what the zoning ordinance would normally allow, the general PUD requirements specifically allow “modifications from the density, area, height and placement requirements for the stated district(s).”⁴

Table 5 – Comparison of Multi-Family Residential Densities in EGR

Multi-Family Development	Residential Density (d.u./acre)
Greenwood Park Townhomes	6.8
Lake Shore Club	12.8
Schoolhouse Condos	13.0
Lakewood Hills Apartments (as developed)	14.0
Gaslight Investors PUD (515 Lakeside parcel only)	13.1
Gaslight Investors PUD (full site)	17.5
Bagley Townhomes (original development)	17.5
Lakewood Hills Apartments (per consent agreement)	17.9
Croswell Mews	19.8
Maximum allowed by zoning ordinance in MFR District	20.7

There have been multiple questions about how the residential density calculation were made. To this point, the residential density has been expressed as the number of dwelling units per acre of land, or “gross density.” The 20.7 du/acre maximum residential density is derived from the MFR district standards: every new MFR dwelling unit requires 2,100 s.f. of lot area. ($43,560 \div 2,100 = 20.7$) The standard clearly states that the *entire lot area* needs to be measured to make that calculation⁵. There have been some suggestions that the areas of existing buildings, as well as areas without buildings, should be excluded in determining gross density. This assertion is not supported by the zoning ordinance. Gross density is clearly defined as

³ Other single lots with 2-5 dwelling units have even higher densities, but are excluded from this table as they are not wholly representative comparisons.

⁴ See [Section 5.44C](#) of the zoning ordinance.

⁵ See [Section 5.30A2](#) of the zoning ordinance.

the number of dwelling units per acre *of land*, not each individual building or area of buildings⁶. Excluding the existing buildings on the site is not appropriate in considering density as all of the buildings represent a single, integrated development regardless of the specific building usage. With all of this being said, it should be noted that these standards only apply to the MFR District. Previous materials have shown residential density for the entire site as a reference point, but technically, there is no residential density limit in the C-1 District. To be sure, any housing component in the C-1 District would still need to meet all of the site plan review criteria including traffic, stormwater, utilities, emergency access, etc., but presuming all of those standards were met, there would be no specific limit on the number of residential units that could be developed.

Though not required at this stage, more details on the mix of uses in the development and how they complement each other would be helpful at the final plan stage. This could be included as part of the requested fiscal analysis, noting aspects like the relationship of anchor tenants and associated buildings, how the different uses (small retail, larger retail, mixed-uses, and residential) work hand in hand, and why and how the development works together and benefits Gaslight Village as a whole, and more broadly other nearby commercial areas such as Breton Village.

- C. *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.*

Staff comments: City staff and consultants believe that this standard is met. As noted above, height, density, and layout shown are all consistent with the Master Plan and surrounding area development. The concept plan shows the basic building forms and layout that are being proposed. This level of detail is sufficient to meet this standard at the concept plan stage as discussed above. More detailed building and amenity designs will be required with the final plan. Review of capacity for public services (sanitary sewer, storm water, potable water, etc.), public safety, environmental, facilities, etc. will also be performed with the final plan and reviewed by the City. As discussed further below, the studies and reports that have been provided to date have not identified any impediment to the approval of this concept plan.

- D. *The PUD shall not change the essential character of the surrounding area.*

Staff comments: City staff and consultants believe that this standard is met. This land was originally part of the historic Ramona Park, a popular amusement park. Upon closing, Jacobson's Department Store and Ramona Medical Center were developed on this land. Historical materials related to these uses are provided for reference. Surrounding areas are generally zoned either C-1 Commercial or MFR Multi-Family Residential. Thus, this part of the City has always been home to higher-density uses. Moreover, the existing commercial and multi-family developments have been present for over 50 years; outside of the expansion of Jacobson's and construction of the parking deck in the early 1990s, development in the area since then has not appreciably changed. A basic timeline showing different activities on the former Ramona Park land can be referenced in the [May 19 agenda materials](#).

At the various public hearings and comment periods, several topics of concern were brought forth by residents and Commissioners. Some of these topics are discussed in more detail below.

Building Height The tallest building in this revised plan is proposed to be five stories. The number of stories is fewer than what was approved in 2004. Also, the height of the proposed five-story buildings is listed as being 70' height at roof peak. This is less than the original PUD approval, which called for a maximum building height of 79' at the roof midpoint and 94' to the roof peak. Other buildings are proposed to be 40' for 3-story buildings and 57' for 4-story buildings. These proposed heights are codified in the proposed PUD amendment for each new building, thus providing a legal limit for the total height of these buildings. To further minimize the bulk of the proposed buildings, one of the

⁶ See [Section 5.8](#) of the zoning ordinance.

conditions of the concept plan approval is to require a stepback for any stories above the third floor, reducing or eliminating their visual impact from the street. For comparison purposes, estimated building heights for other buildings in the City/general Gaslight Village area are provided in Table 6. Exhibit 3 below shows a graphic comparison of the new proposed building height compared to what was approved in 2008.

Table 6 – Height comparison of prominent buildings in EGR

Building		Appx. Height
Blodgett Hospital (2008 addition)		72'
Blodgett Hospital (other wings)		42'-90'
EGR High School (Fine Arts wing)		88'
EGR Middle School (adjacent to Reeds Lake)		47'
Gaslight Investors PUD	3-stories (G & H)	40'
	4-stories (D & F)	57'
	5-stories (C & E)	70'
Lakewood Hills Apartments (per consent agreement)		48' to midpoint, 58' to roof peak
Wealthy Elementary School		53'

With regards to the adjacent Lakewood Hills Apartments, that property has a consent agreement in place that would allow them to build new buildings up to 5-stories in height. This consent agreement remains valid today and in perpetuity. Based on the plans in that agreement, the height of those buildings would be up to 48' to the roof midpoint and 58' to the top of the roof. If/when these plans are ever constructed, the resulting buildings would be comparable in height to the buildings proposed with this PUD concept plan.

Site Density Overall, the proposed residential density would be 17.5 units per acre, which is less than the maximum allowed density in the MFR District for new construction (20.7 units per acre).⁷ If considering the 515 Lakeside parcel on its own, the proposed residential density of that parcel would only be 13.1 units per acre. Additionally, only 41 of the proposed 149 residential units (27.5%) would be on the 515 Lakeside parcel closest to existing residential neighborhoods. By contrast, the previous concepts from 2004, 2008, and 2020 had most of the proposed residential units concentrated on the 515 Lakeside parcel.

Connections to Existing Apartments/Condos There were multiple comments regarding connections to other surrounding uses such as the apartments and condominiums to the east. While such opportunities may exist, they would likely require cooperation from adjacent property owners to be established. Thus, no such outside connections are part of this concept plan.

Open Space/Public Space In previous meetings, there was strong interest in having a portion of the site devoted to green space and public space. The most recent iteration of the concept plan has increased the amount of green space in the development, including a larger open gathering space area dubbed the “central social hub.” Compared to previous concepts, this area is more centrally located within the site compared to previous concepts, making it more accessible from all parts of the site.



Exhibit 3 – Visual comparison with newly proposed buildings (left) with tallest building approved in 2008 (right.)

⁷ Putting it another way, if the entire PUD site were to be zoned MFR, the maximum number of dwelling units that could be developed is approximately 178.

Transition The revised plan creates a more desirable transition of uses consistent with the established character of the surrounding area. Commercial uses and taller buildings are clustered at the south end of the site, creating a smooth integration with the Gaslight Village businesses, while development at the north end is limited to residential in scale with the established uses to the east, west, and north.

Regardless of any issues that may have been identified above, the City believes that enough detail and information has been presented to date to allow for concept plan approval. Any issues requiring resolution would need to be addressed and resolved at the Final Plan phase.

- E. *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.*

Staff comments: City staff and consultants believe that this standard is met. To date, the developers have submitted a preliminary traffic study performed by Fleis & Vandenbrink and a Trip Generation Analysis (prepared in mid-April) ahead of the planned formal traffic study. These can be found in the [May 19 agenda materials](#), along with a companion analysis from the City's traffic consultant. These studies concluded the following:

- The projected trip generation for the current concept plan is less than what was recorded while Jacobson's and Ramona Medical Center were in operation. The trip generation is also projected to be similar or slightly higher than the PUD concept that was originally approved in 2004.
- The north site entry is anticipated to be the most heavily used, wherever it is located. The study concluded that the existing intersection at Lakeside/Shopping Center Road provided the best northern access point to the site. As noted at the July public hearing and in Subsection B above, even though the City's master plan does not specifically reference this regarding a north/south connection through the site, a connection at the Lakeside/Shopping Center intersection would still meet the overall intent of this recommendation.
- Alternatives for additional or alternative northern access points involving the existing driveway and the existing Reeds Lake Blvd. intersection were studied, but both found significant conflicts with other access points and would increase the potential for vehicle and pedestrian conflicts.
- Some minor modifications to the Lakeside/Shopping Center intersection and the Wealthy/Lovett intersection may be necessary to mitigate traffic from the project. Signal modifications at Wealthy/Lakeside are also recommended to accommodate additional traffic volumes.
- The parking analysis concluded that, when accounting for shared parking, the project had sufficient parking capacity for the entire site. It should be noted this is a preliminary conclusion based on a general large-scale view of the proposed uses. More detailed parking analysis may not be possible until the final plan stage.
- The study does not appear to address traffic impacts by delivery/freight vehicles. Nor does it appear to discuss pedestrian traffic in much detail, only to note that most of the trips generated would be vehicular. As this is still only a concept plan, it might not be possible to fully study these topics at this time.
- The Planning Commission and consultants also requested information such as updated traffic counts, crash history, pedestrian/bike interaction analysis, intersection level of service analysis, and parking evaluation. Parking is discussed in more detail below. The City has provided the applicants with their own historical data on the other topics. This data is used as baseline data in the submitted preliminary traffic study, which is what will be utilized in relationship to actual traffic counts that will be performed in the Spring along with comparisons to projections taken from the ITE manual.
- The "Anticipated Project Schedule" references a safety study as part of their multimodal impact analysis. While the introductory letter references modifications related to reducing vehicle and pedestrian conflicts in the site, it is not entirely clear what the full scope of the safety study is.

The applicants have also provided basic renderings and diagrams showing the general circulation routes for different users. Of note, the proposed bicycle circulation drawing shows a main north-south bike route connecting Lakeside and Wealthy without intermingling with the internal road network. Access points to bike rack stations are noted and would utilize other planned pedestrian infrastructure. Otherwise, these

drawings do not provide much detail on what specific types of amenities will be incorporated. The City has recommended adopting various recommendations from the National Association of City Transportation Officials (NACTO) and other professional engineering design manuals in other areas such as pedestrian pathways and integrated public amenities.

At this time, the City and its consultants have noted the following items regarding general circulation and parking in this concept plan.

- Truck/service traffic would be directed away from the main interior road into a two-way service road accessed at the SE corner of the property (next to Chase Bank) and travelling northward. This two-way arrangement is intended to deemphasize the service traffic by making it open to all visitors. However, it does have the potential to increase truck traffic on Lakeside Drive and Wealthy Street. Also, the intersection of the two access roads north of Building D may require some additional level of traffic control to reduce conflicts between vehicular and pedestrian traffic. This was not addressed by the preliminary traffic study, though it may not be possible to accurately model these impacts at the concept plan stage.
- The currently proposed plan would feature 493 parking spaces, which is a reduction from the 687 originally approved in 2004. However, the following should be noted.
 - Only 414 of the 687 parking spaces approved in 2004 were reportedly present. The remaining parking spaces were in building phases that were never constructed. Thus, if fully built as proposed, there would still be a net increase in parking spaces over what was present after Phase 1 construction.⁸
 - The City's parking regulations have changed significantly since the original PUD was approved. In most cases, fewer parking spaces are now required compared to 2004 and plans with fewer than the required number of parking spaces can still be approved at the City's discretion.
 - Parking studies done in conjunction with the 2018 Master Plan showed that only 59% of all parking spaces in Gaslight Village were utilized on a typical weekday.
 - It should be noted that the applicants are using a different parking standard compared to the City's, which may result in fewer parking spaces than the zoning ordinance would normally require. However, taking shared parking and the other factors noted above into consideration, having fewer total parking spaces on site compared to the original plan may not be a significant concern, even with the increased amount of commercial and residential space. More detailed analysis may be useful at the final plan stage when the proposed uses are more clearly defined.
- If any temporary surface parking is required while the new buildings and parking garage are under construction, the final PUD agreement should include specific language stating when the temporary lot is to be removed, that the City has the right to remove the lot if the development does not move forward, and that the lot be built to City standards when in use.
- The location and orientation of parking lots and residential ingress/egress should be carefully considered to prevent conflicts with through traffic. Examples include:
 - Much of the surface parking in the north half of the site is perpendicular to the throughway. Angled parking could provide better visibility and safety for parking in these areas, though this may reduce the number of parking spaces.
 - Vehicular access to the residential parking for Buildings F-H should be studied to determine if it is located an appropriate distance from the Lakeside/Greenwood/Shopping Center intersection to prevent traffic conflicts.

It is noted that the level of detail required at this concept plan stage may not allow for a complete modeling or analysis of these items and may be significantly altered when presented with more detailed

⁸ On October 21, the City Commission approved a temporary agreement with Gaslight Investors to allow for the demolition of the existing parking deck for safety concerns, based on the fact that the upper level has been closed for a substantial amount of time without impacting parking availability for the constructed portion of the development. This technically removed approximately 198 parking spaces from the current PUD. Surface parking on the ground level does remain. The temporary agreement still requires Gaslight Investors to provide an appropriate amount of parking whenever any new development occurs and allows the City to require additional parking for existing facilities if the demand dictates it.

data at the final plan review stage. The applicant has committed to performing a complete traffic study while schools are in session to better gauge impacts when traffic is at its highest. The City also recommends that a traffic impact/pedestrian study be submitted with the final plan review. Nonetheless, the City believes that there is sufficient detail provided at this time to find that this standard is met.

Consultants from Progressive Companies have provided companion analysis of the traffic and parking data provided by the applicants. These memos are found in the [May 19 agenda materials](#). Jeremy Chapman provided a memo regarding a parking and traffic historical comparison for the site. Exhibit 4, copied from his memo, summarized his findings. In short, Mr. Chapman concluded that the anticipated vehicular traffic for the proposed concept plan would generally be similar or less than for the concept plan that was approved in 2004. The one data point that was higher – Saturday peak traffic – was comparable to traffic for the former Jacobson’s/Ramona Medical Center development. As a follow-up to this study, Progressive Companies performed an additional analysis to estimate how many new trips the proposed development would generate. This is summarized in Exhibit 5. In short, of the 7,451 total trips the entire proposed development was estimated to generate, 70% of those trips were already projected to be occurring with the current 77,500 s.f. of commercial development. Taken together, the proposed concept plan is not expected to generate more traffic compared to previous plans and development for the PUD site.

Christopher Zull has also provided a memo reviewing the preliminary traffic study in more detail. This memo highlights some items that either require more explanation or further investigation, as well as noting that some of the materials provided to the development team may not have been fully utilized. Mr. Zull has noted that some errors and inconsistencies in data have appeared to be corrected in the most recent data submitted by the applicant. The most recent revisions to the concept plan, namely the new orientation of the access roads, also appears to address many concerns that were raised with earlier concepts. While noting the items listed above, Mr. Zull also agrees with the City that there is enough data present now to approve the concept plan provided the issues noted are fully addressed in the full traffic study and with the Final Plan submission. If any concerns on these or other matters are identified in future studies, they can still be addressed and require correction by the City and Commissions during the Final Plan stage.

Time Period	Jacobsen’s + Ramona Medical Center	2004 PUD	2025 Concept
A.M. Peak	90 Trips	245 Trips	244 Trips
Noon Peak	585 Trips	560 Trips	551 Trips
P.M. Peak	620 Trips	539 Trips	514 Trips
School P.M. Peak	550 Trips	587 Trips	560 Trips
Saturday Peak	665 Trips	384 Trips	672 Trips

Exhibit 4 – Traffic/trip generation historical comparison between currently proposed concept plan and historical uses/plans. Please see section F in the supporting materials for further analysis and discussion.

	Average Daily Trips	A.M. Peak			M.D. Peak			P.M. Peak			Saturday Peak		
		In	Out	Total	In	Out	Total	In	Out	Total	In	Out	Total
Total Development Trips	7451	154	112	266	282	304	586	288	316	604	378	345	723
Existing Buildings A+B	5233	83	51	134	15	10	25	197	205	402	261	241	502
A+B % of Total Trips	70%	54%	46%	50%	5%	3%	4%	68%	65%	67%	69%	70%	69%
Total NEW Trips	2218	71	61	132	267	294	561	91	111	202	117	104	221

Exhibit 5 – Estimate of projected new trips the entire proposed PUD would generate. Bottom row indicates projects new generated trips when accounting for existing development.

One other item of note on this topic relates to a pedestrian mall or permanent pedestrian plaza in the area of the southern private road as suggested by some City Commissioners. Pedestrian malls are not a new idea; in particular, the 1960-1970s saw a significant development of pedestrian malls in many urban areas. Multiple studies have since been done to analyze their successes and failures. These studies found the vast

majority (almost 90%) of these pedestrian malls were not successful and were returned to vehicular or mixed vehicular/pedestrian use. Of the ones that still remain, they generally had several features in common. Table 7 lists these factors with additional City comments. Considering this research, the City has concerns that this PUD location may not be appropriate for a permanent pedestrian mall or plaza. Instead, the following alternatives could be considered:

- Having a streetscape design that allows for temporary street closures for special events.
- Incorporating “Complete Street” or multi-modal elements to allow vehicles, pedestrians, and non-motorized transportation modes to safely and efficiently move through the development.

Table 7 – Analysis of Positive Pedestrian Mall Factors in Relation to PUD Site

Positive Pedestrian Mall Factor	City Comments
Close Proximity to a Major Regional Attraction, College/University, or Generally High Tourism Activity	The PUD is located in close proximity to Reeds Lake and John Collins Park. However, these may generally be considered seasonal attractions and may not be sufficient to drive year-round demand and support.
Sufficient Density and Commercial Options to Attract Regional Visitors	One consulted study suggested that the proposed residential density could be sufficient to support a pedestrian mall. Others, however, suggest that the development immediately around a pedestrian mall is usually not enough to sustain it. Additionally, the retail mix around a pedestrian mall must be able to attract larger regional populations, such as with larger anchor businesses and uses with staggered operating hours throughout the day. It is not clear how or if the proposed retail space would be able to accommodate this.
Strong Public Transit	The Rapid operates a bus line along Wealthy Street with stops at Regatta Plaza and just east of the existing Chase Bank. More studies would need to be done to determine the impact of existing ridership on the PUD.
Limited Length of Mall (1-4 blocks)	The proposed mixed use corridor in the presented concept appears to fall within this length.
No or Limited Impact To Vehicular Traffic and Parking	Despite the size of the PUD site, there appears to be limited connectivity options with the City’s street grid. Creating a permanent pedestrian mall at the south end of the site would likely force most vehicular traffic to access the site to the north via Lakeside Dr., particularly since that is where the bulk of the vehicular parking would be located. This traffic pattern may also be more confusing to navigate and create more congestion than having a continuous north-south vehicular passageway. The condos/apartments to the east would prevent any new vehicular connections in that direction. While there may be potential for a western connection via the D&W Shopping Plaza, this would require a shared access agreement with the property owner and is not guaranteed.

With regards to noise, smoke, fumes or glare, the City has not identified anything in the concept plan that would cause excessive impacts above and beyond what would be considered normal for a mixed-use development. As noted above, the revised plan creates an appropriate transition pattern of uses which puts like uses near like uses.

F. *The PUD shall not place demands on public services and facilities in excess of current or anticipated future capacity.*

Staff comments: Detailed analysis is not required at the concept plan stage but will be required with the final plan submission. Similar to traffic/pedestrian analysis, if the building heights/layouts are known from the concept review, detailed utility analysis including sanitary sewer, storm sewer, water, etc. can be completed on a more detailed basis. It should be noted for now that previous studies on this topic concluded that the current construction would be able to accommodate denser development than what is currently proposed. Studies that are available demonstrate that the currently proposed concept plan aligns with existing infrastructure capacities. With regards to stormwater, the City does maintain stormwater infrastructure in this vicinity that filters out any debris and contaminants before entering into Reeds Lake.

The proposed PUD amendment has conditions of approval stating that if the concept plan is found to require additional demand for services and infrastructure beyond what is currently present, then changes to the plan will be necessary to eliminate this need. Moreover, the City would not be obligated to pay for any infrastructure improvements solely for the benefit of the PUD.

Review and Requested Action:

Tonight, the City Commission is requested to review and consider these amendments presented tonight. If these materials are deemed to be acceptable, the City Commission may choose to formally introduce these amendments for further consideration. The process for the consideration of these amendments would then be as follows. Dates may be subject to change.

- City Commission Meeting (tonight) – Formal Introduction/First Reading of PUD Ordinance Amendment, Resolution, and Findings of Fact.
- Planning Commission Meeting (September 9, 2025) – Public Hearing for PUD Ordinance Amendment Language only (site plan would be inserted to reflect whatever the outcome is through the Final Review Process); Planning Commission to give recommendation on whether amendment should be approved or not.
- City Commission Meeting (tentatively October 6, 2025) – Final Reading of PUD Ordinance Amendment, Resolution, and Findings of Fact; final vote on whether to approve or not.

A PUD Evaluation worksheet with the standards of review is provided for all City Commissioners to complete and submit to the City after tonight’s meeting. This is being requested to formulate a findings of fact for the concept plan.

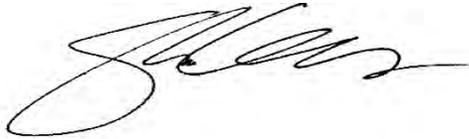
For additional context, agendas and minutes of previous meetings related to this project can be viewed below.

- [Planning Commission Agendas](#)
- [City Commission Agendas](#)
- [EGR YouTube page – Live Streams of City & Planning Commission Meetings](#)

Potential Future Steps:

If a concept plan and PUD Amendment is ultimately approved, the project would then enter the Final Plan Phase(s). The applicant would need to submit a request for Final Plan approval, with more detailed drawings and plans, within two years of the concept plan approval before any new construction can begin. Otherwise, the concept plan approval would automatically be nullified.⁹ All conditions made by the City and Planning Commission would need to be satisfied for the Final Plan to be approved. If developed in phases, each phase would undergo the same Final Plan review process.

REVIEWED & APPROVED FOR SUBMISSION:



Shea Charles, City Manager

⁹ See [Section 5.47E](#) of the zoning ordinance. The City Commission may also approve a deadline extension of up to one year for good cause if requested by the applicant.

Updated Red-lined and Clean Versions of the Ordinance Amendment

**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~~ 8 "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 A — already constructed
- ii. Building B — already constructed
- iii. Building C — four stories at 57' – 0"
- iv. Building D — five stories at 70' – 0"
- v. Building E — ~~five stories at 70' – 0"~~ Building E has been eliminated and is no longer shown in the concept plan.
- vi. Building F — four stories at 57' – 0"
- vii. Building G — three stories at 40' – 0"
- viii. 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~~ PUD plan approval phase. The final PUD site plan approval with respect to future buildings shall be applied for and considered

on a phase by phase basis but shall not consist of more than three phases; provided however, if the parking structure is submitted for final approval independent of other Buildings, then the parking structure shall not be considered a phase. The applicant shall submit an application for final PUD site plan approval for the first phase prior to the expiration of two years from the Effective Date of approval this Amendment. 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 PUD site plan approval for the first phase of 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~~ a phase that has received final PUD site plan approval within one year of the final PUD site plan approval of such phase(s) unless an extension of up to no more than one year 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~~ A final PUD site plan application for each subsequent phase (other than the first phase which is addressed in (a)) shall be submitted no later than three years from the date construction commences within the prior phase or, if construction has not commenced on the prior phase, then three years from the date of formal the final PUD site plan approval of the prior phase if construction has not commenced. Failure to submit a final PUD site plan application for a subsequent phase or commence construction ~~for of~~ 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~~ Buildings or phases that have previously received final PUD site plan approval or Buildings 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 which must be received within 45 days of City approval. 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

27806701.1

**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 8 "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 A — already constructed
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(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 PUD

plan approval phase. The final PUD site plan approval with respect to future buildings shall be applied for and considered on a phase by phase basis but shall not consist of more than three phases; provided however, if the parking structure is submitted for final approval independent of other Buildings, then the parking structure shall not be considered a phase. The applicant shall submit an application for final PUD site plan approval for the first phase prior to the expiration of two years from the Effective Date of this Amendment. 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 PUD site plan approval for the first phase of 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 a phase that has received final PUD site plan approval within one year of the final PUD site plan approval of such phase(s) unless an extension of up to no more than one year is granted in accordance with Section 5.51 of the Zoning Ordinance.

(c) A final PUD site plan application for each phase (other than the first phase which is addressed in (a)) shall be submitted no later than three years from the date construction commences within the prior phase or, if construction has not commenced on the prior phase, then three years from the date of the final PUD site plan approval of the prior phase. Failure to submit a final PUD site plan application for a subsequent phase or commence construction of 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 Buildings or phases that have previously received final PUD site plan approval or Buildings 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 which must be received within 45 days of City approval. 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.

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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

27791903.1

Updated Red-lined and Clean Versions of the Resolution

**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 PUD site plan for the ~~remainder~~remaining phases of the project will be consistent with the concepts illustrated in the approved concept plan. Compliance with the approved final PUD site plan standards for each phase shall be a prerequisite to final approval of such phase for 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 phases will be submitted for final PUD site plan approval on a phase by phase basis in accordance with the process required by the amendment to the ordinance. A PUD agreement will be entered, and 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 will be established, at the time that first phase of the project receives final PUD site plan approval. The PUD Agreement will be amended, or new PUD Agreements will be entered, at the time subsequent phases receive final PUD site plan approval.~~ Section ~~61(ed)~~ of the amended PUD Ordinance ~~authorizes building in phases; amends Section 6 of the Original Ordinance to authorize up to three additional phases; provided however if the parking structure is established independent of other Buildings, then the parking structure shall not be considered a phase.~~

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~~ at the time the final PUD ~~agreement that is part of final~~ site plan ~~approval, and PUD agreement, for a phase are approved.~~

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.~~phases.

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 PUD site plan approval and in the PUD agreement for each phase.

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 PUD site plan approval and ~~the PUD agreement.~~ Agreement for the phase in which the parking structure is constructed or, if the parking structure is constructed independent of other Buildings and is not considered a phase, then at the time the parking structure is submitted for final PUD site plan approval.

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 PUD site plan and PUD agreement for each phase. The agreement of the parties shall take into consideration any parking studies performed in conjunction with the final PUD site plan. ~~In the event the project is built in phases, each for a phase. 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. Building E has been eliminated and is no longer shown in the concept plan, as a result additional size has been added to Building C. 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 attached conditions and applicable provisions of Article VI ~~Planned Unit Development~~ of the Zoning Ordinance (Planned Unit Development) are met to the satisfaction of the City Commission;

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

~~b. b.~~ High quality design beyond the minimum ordinance requirements,

~~c. Providing open space, plazas, and features,~~

~~d. c.~~ Efficiently consolidating irregularly shaped properties,

~~e. d.~~ Effectively transitioning from higher to lower density

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. 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 [for each phase](#). 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 [and the City Commission](#).

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 [and is removed as a condition](#).

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 [including but not limited to, parking solutions peripheral to the development](#). 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. [In addition, when reasonably requested by the city, the developer shall agree to close private streets on a temporary basis subject to tenants and property owners having continued access to their respective properties. The PUD agreement shall contain provisions detailing the rights of the city, the developer, tenants, and property owners.](#)
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 PUD site plan review stage for a phase, if street or utility improvements are determined to be needed, as specified in condition 4, and are not appropriately funded by the developer and/or the City, 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. If improvements are not funded or eliminated, final plan approval for the phase will not be granted. 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 and the City Commission.
- ~~8. The locations of Building E and the open space around that Building, as shown on the concept plan, shall be adjusted to a mutually agreed upon location within this area in the final PUD site plan and PUD agreement for the phase in which Building E is located. 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 for a phase shall include such modifications or improvements recommended by the relevant studies and such other requirements related to the standards of approval.

Unless otherwise set forth above, all conditions listed above must be met in the phase in which the condition is located or applies and shall be confirmed at the time such phase receives final PUD site plan approval and when the PUD Agreement for such phase is executed.

**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 PUD site plan for the remaining phases of the project will be consistent with the concepts illustrated in the approved concept plan. Compliance with the approved final PUD site plan standards for each phase shall be a prerequisite to final approval of such phase for 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 proposed project will be completed in phases. The phases will be submitted for final PUD site plan approval on a phase by phase basis in accordance with the process required by the amendment to the ordinance. A PUD agreement will be entered, and the boundaries of the phases will be established, at the time that first phase of the project receives final PUD site plan approval. The PUD Agreement will be amended, or new PUD Agreements will be entered, at the time subsequent phases receive final PUD site plan approval. Section 1(d) of the amended PUD Ordinance amends Section 6 of the Original Ordinance to authorize up to three additional phases; provided however if the parking structure is established independent of other Buildings, then the parking structure shall not be considered a phase.

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 at the time the final PUD site plan, and PUD agreement, for a phase are approved.

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 to be constructed in phases.

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 PUD site plan approval and in the PUD agreement for each phase.

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 PUD site plan approval and PUD Agreement for the phase in which the parking structure is constructed or, if the parking structure is constructed independent of other Buildings and is not considered a phase, then at the time the parking structure is submitted for final PUD site plan approval.

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.

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 PUD site plan and PUD agreement for each phase. The agreement of the parties shall take into consideration any parking studies performed in conjunction with the final PUD site plan for a phase. 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. Building E has been eliminated and is no longer shown in the concept plan, as a result additional size has been added to Building C. 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.

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 attached conditions and applicable provisions of Article VI of the Zoning Ordinance (Planned Unit Development) are met to the satisfaction of the City Commission;

(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. Efficiently consolidating irregularly shaped properties,
 - d. 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. 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 for each phase. 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 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 Rapids 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 and the City Commission.

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 and is removed as a condition.

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, including but not limited to, parking solutions peripheral to the development. 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. In addition, when reasonably requested by the city, the developer shall agree to close private streets on a temporary basis subject to tenants and property owners having continued access to their respective properties. The PUD agreement shall contain provisions detailing the rights of the city, the developer, tenants, and property owners.
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 PUD site plan review stage for a phase, if street or utility improvements are determined to be needed, as specified in condition 4, and are not appropriately funded by the developer and/or the City, 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. If improvements are not funded or eliminated, final plan approval for the phase will not be granted. 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 and the City Commission.

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

Unless otherwise set forth above, all conditions listed above must be met in the phase in which the condition is located or applies and shall be confirmed at the time such phase receives final PUD site plan approval and when the PUD Agreement for such phase is executed.

Paul LeBlanc Memo Regarding Essential Character



TO: Shea Charles, City Manager
FROM: Paul LeBlanc, AICP
DATE: August 11, 2025
SUBJECT: "Essential Character"

There seems to be considerable debate regarding one of the review standards for the proposed Gaslight Investors PUD. This standard, found in Section 5.49 (D) of the zoning ordinance, states:

"The PUD shall not change the essential character of the surrounding area;"

Admittedly, the term "essential character" is subjective and open to interpretation. However, it is a term widely used in zoning regulations and by the courts. While there is no uniform definition of the term, it is broadly considered to relate to the physical elements of the surrounding area. Land use, lot sizes, building height, setbacks, density, traffic, natural features, and open space are factors commonly associated with character.

There are a few court cases in Michigan and elsewhere that have involved challenges to zoning decisions based, at least in part, on compatibility with surrounding character. However, those that I have found have been related to rezoning requests, not established PUD Districts. The request being considered by the City Commission is for approval of a conceptual site plan essentially consistent with the 2004 approved plan. It's also important to recognize that, as stated in the zoning ordinance, PUDs are different than conventional zoning districts. PUD is a special tool specifically intended to allow greater flexibility and to promote creativity not otherwise possible with the other zoning districts. The PUD zoning district was approved in 2004 based on its compliance with the ordinance intent and satisfaction of the review standards.

Section 5.41, Intent, of the PUD District clearly articulates the intent of the PUD District:

"(A) The intent of this article is to offer an **alternative to conventional development by permitting flexibility** in the regulations for development. The standards in this article are intended to promote and encourage development on parcels of land that are **suitable in size, location and character** for the uses proposed **while ensuring compatibility with adjacent land uses**.

(B) The PUD rezoning process is provided as a **design option** to allow for **one or more of the following**:

- (1) **Encourage innovation** in land development in **terms of variety, design, layout and type of structures** constructed;
- (2) Promote the **efficient use of land** to facilitate a more **economic arrangement of buildings, circulation systems, land use and utilities**;
- (3) Encourage the adaptive re-use of significant or historic buildings;

- (4) Provide the **opportunity to mix compatible uses or residential types**;
- (5) Preserve and protect significant natural features, open space and cultural/historic resources;
- (6) Ensure that new development is **consistent with the character of the community**;
- (7) Promote **efficient provision of public services and utilities**;
- (8) **Minimize adverse traffic impacts and accommodate safe and efficient pedestrian access and circulation**;
- (9) Encourage development of convenient recreational facilities;
- (10) Encourage the **use and improvement of land where site conditions make development under conventional zoning difficult or less desirable**; or
- (11) Allow a **density for any residential portion of a planned unit development that is greater than would otherwise be allowed** by the zoning ordinance, yet is **still appropriate and compatible with other uses** both within the planned unit development and adjacent to it and with the density of adjacent properties.

Note that paragraph B requires that only one of the eleven purposes be met by the PUD, though the proposed project satisfies nearly all of them.

If common factors of “character” are applied to the proposed Gaslight Investors PUD, it would be reasonable to conclude that the proposed concept plan would not change the “essential character” of the surrounding area.

First of all, the existing character of the surrounding area:

- is a mix of residential and non-residential uses including commercial, office, institutional (high school), single-family residential, two-family residential, multi-family residential, parks, and large open spaces;
- contains a building within Gaslight Village that exceeds the height of any structure proposed within the PUD;
- the adjacent Lakewood Hills multi-family development has been given court approval to erect new buildings up to five stories high;
- the Planning Commission’s recommendation of approval was conditioned upon conducting various studies related to parking, traffic, utility capacity, and other impacts; and
- additional conditions have been preliminarily proposed by the City Commission if the concept plan is approved.

Second, if the broad factors of land use, lot sizes, building height, setbacks, density, traffic, natural features, and open space are considered, the “essential character” would not be changed by approving the proposed PUD concept plan, as follows:

- **land use:** as noted, the established character of the surrounding area is mixed-use and the proposed PUD plan contains a variety of uses entirely consistent with those that already exist;

- **lot size and setbacks:** much of the proposed development consists of buildings that incorporate commercial uses on the ground floor with residential above as permitted in the C-1 District which does not require any minimum lot size or building setback;
- **building height:** the tallest proposed building is five stories which is less than what exists at the high school and is equivalent to that which is allowed, by court order, on the adjacent Lakewood Hills property;
- **density:** there is no maximum density limit within the C-1 District and the allowed density if the property was zoned MFR is just over 20 units per acre which is greater than the density proposed for the PUD;
- **traffic:** a preliminary traffic study has been conducted which shows that future traffic would be less than what existed previously when the Jacobsen store operated in this area and, a condition of approval requires a more detailed traffic study to confirm that is the case or changes to the project would be required to reduce the impact;
- **natural features:** there are no natural features on the subject property and none within the existing Gaslight Village business district, large wooded areas to the north and Reeds Lake to the east already provide impressive natural amenities that would not be impacted by the proposed PUD; and
- **open space:** the proposed PUD includes some open space which is more than currently available within the Gaslight Village business district and also incorporates areas that can be periodically used for community events.

Third, while consistency with the Master Plan is a separate review standard, the Master Plan identifies the subject properties for mixed-use development and stresses the need for more housing options in the community based on the approved 2004 PUD plan. In addition, having designated the subject property as mixed-use and illustrating several multi-story buildings as part of that development, the Plan at page 8 notes foundational statements guiding the recommendations. Those relevant to the PUD are:

- “Ensuring new development is compatible with the existing character of Gaslight Village and the City’s neighborhoods
- Increasing the amount of attached residential to better meet attainable housing for all”

Likewise, in its approval of the 2004 conceptual site plan, the City Commission specifically referenced consistent “character” in the approval resolution.

“(d) The proposed PUD is to be **designed, constructed, operated and maintained in a manner harmonious with the character of adjacent property, the surrounding uses of land and the capacity of public services and facilities** affected by the Development.

(e) The proposed PUD will support objectives for a viable Gaslight Village business district but **will not significantly change the essential character** of the surrounding area.”

Prein&Newhof Memo Regarding Environmental Concerns

March 20, 2025
2211171

Mr. Doug La Fave
City of East Grand Rapids
Deputy City Manager
750 Lakeside Dr., SE
East Grand Rapids, MI 49506

RE: East Grand Rapids – Gaslight Village Site

Dear Mr. La Fave:

It is our understanding that a developer is undergoing the City of East Grand Rapids' site plan/PUD process for part of the former Ramona Amusement Park and Ramona Medical Center and Jacobsen's Department Store (herein after the "Site"). The location of the Site is shown in Exhibit 1. We also understand that the City of East Grand Rapids is requesting an opinion of environmental concerns based on the past uses summary of the Site provided to Prein&Newhof.

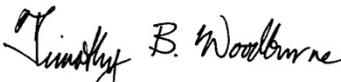
The Site was formerly part of Ramona Amusement Park from 1881 to 1954, according to Exhibit 2. In the mid to late 1950's, the Site was redeveloped with Ramona Shopping Center. Around 1960 the Lakeshore Club Condos and Ramona Medical were constructed. The residential Lakewood Hills Apartments were constructed in 1965. Jacobson's, a retail store, was constructed and opened in 1966 with additions and a parking structure constructed in 1990. In 1979 additional retail stores for Ramona Shopping Plaza were constructed. Jacobson's closed in 2002. Jacobson's and Ramona Medical were demolished in the early 2000's and the Site has been largely vacant since. In 2024, the parking structure's top level was demolished, with the remaining beneath to be maintained for now.

Based on the Site's past mixed uses of medical office, residential, and retail space, potential environmental concerns with respect to the likely presence of *hazardous substances* or *petroleum products* are not likely to have occurred at the Site to cause an environmental concern.

Should you have any questions please contact us.

Sincerely,

Prein&Newhof


Timothy B. Woodburne, CPG
TBW/tbw


Christopher J. Cruickshank, P.E.

Enclosure(s):

Exhibit 1 – Site Location Map

Exhibit 2 – Key Activity Timeline