

CHARTER TOWNSHIP OF GRAND RAPIDS

COUNTY OF KENT, MICHIGAN

At a regular meeting of the Township Board of the Charter Township of Grand Rapids, held in the Township Hall, 1836 East Beltline Avenue, N.E., Grand Rapids, Michigan, on the 16th day of November, 2021, at 7:00 p.m.

PRESENT: Christopoulos, DeVries, Mott, Robinette, Van Popering

ABSENT: Van Dyke, Yeiter

The following ordinance was offered by Member Van Popering and supported by Member Mott.

ORDINANCE NO. 536

AN ORDINANCE TO APPROVE A MAJOR AMENDMENT TO THE FOREST HILLS PRESERVE PLANNED UNIT DEVELOPMENT

[Avanterra Forest Hills Preserve Planned Unit Development – 2409 Knapp Street, NE]

THE CHARTER TOWNSHIP OF GRAND RAPIDS ORDAINS:

Section 1. **Approval of Amendment to Planned Unit Development.** Ordinance No. 527 of the Charter Township of Grand Rapids, approving the Forest Hills Preserve Planned Unit Development under the terms of the Residential Planned Unit Development (R-PUD) District, is hereby amendment in accordance with the revised final development plan of the Avanterra Forest Hills Preserve Planned Unit Development, subject to all of the following terms and conditions of this ordinance, which amends and restates Ordinance No. 527 in its entirety. The lands comprising the Avanterra Forest Hills Preserve Planned Unit Development are described as follows:

Part of the Southwest 1/4, Section 10, Town 7 North, Range 11 West, Township of Grand Rapids, Kent County Records, State of Michigan: Commencing at the Southwest corner of Section, thence East along the South Section line 297 feet; thence North parallel with the West Section line 341 feet; thence East parallel with the South Section line 100 feet; thence North parallel with the West Section line 36.15 feet; thence East parallel with the South Section line 345.5 feet; thence South parallel with the West Section line 377.15 feet; thence East along the South Section

line to a point 458 feet West of the Southeast corner of the Southwest 1/4 of the Southwest 1/4; thence North parallel with the West 1/8 line 341 feet; thence East parallel with the South Section line 128 feet; thence North parallel with the West 1/8 line 319 feet; thence East parallel with the South Section line, 330 feet to the West 1/8 line; thence North to the Northeast corner of the Southwest 1/4 of the Southwest 1/4; thence West to the Northwest corner of the Southwest 1/4 of the Southwest 1/4; thence South to the beginning, except that part of the South 341 feet of the East 100 feet of the West 390 feet of the South 1/2 of the Southwest 1/4, which may lie within the West 6 acres thereof; and also the East 100 feet of the West 397 feet of the South 341 feet of said Southwest 1/4.

In the case of conflicts or discrepancies between any part of the final development plan and the terms of this ordinance, this ordinance shall control.

Section 2. Conditions on the Major Amendment to the Planned Unit Development.

The amendment of the Avanterra Forest Hills Preserve Planned Unit Development, in accordance with the development plan for the Avanterra Forest Hills Preserve Planned Unit Development (the “Development”), is expressly subject to all of the following terms and conditions:

(a) **Development Plans.**

(i) The Development shall comply in all respects with the revised Development Plan (the “Plan”) with last revision date of October 8, 2021, except where the Plan has been changed, revised or modified by this ordinance or pursuant to Section 13.16 of the zoning ordinance. The provisions of this ordinance shall control, except as to matters modified by subsequent review of the Township, in which case such modification shall control.

(ii) All sheets of the Plan will be revised to show the final approved layout of Knapp Street.

(iii) The plans shall be sealed by a properly licensed engineer.

(iv) The retaining wall shown in the extreme southwest corner of the Development will be relocated to the north, at least one foot from the sidewalk and right of way.

(b) **Land Uses.**

(i) The Development shall be constructed and used only for a multi-family residential development consisting of 77 residential buildings, a clubhouse, outdoor pool, maintenance building, dog park, off-street parking area, open space and other features and amenities as shown on the Plan.

(ii) The clubhouse and outdoor pool shall be available only to residents or guests of residents of the Development and shall not be made available for rental or used by the public at large, and the office shall be used only for management of this Development.

(iii) The land uses permitted in the Development shall be only the single and multi-family residential and associated uses stated in this ordinance and shown on the Plan.

(c) **Buildings.**

(i) The Development shall consist of 62 two-family, ten single-family, and five three-family buildings, for a total of not more than 149 detached and attached dwelling units. With the approval of the zoning administrator (who may defer the decision to the site plan review committee), the number of two-family or three-family buildings may be reduced, subject to a maximum of 149 dwelling units in the Development, if the replacement buildings maintain substantially the same setbacks and layout as on the approved Plan.

(ii) Except as provided in (iii) below, each dwelling unit shall comply with the minimum floor area requirements stated in Section 15.6.2 of the zoning ordinance. Two-family dwellings shall have a minimum floor area of 860 square feet for each unit, with a total of not less than 1,920 square feet for the two units in the building. Each of the units in the three-family buildings shall have a minimum floor area of 750 square feet for a one-bedroom unit or 860 square feet for a unit with two or more bedrooms. Garage areas shall not be included in meeting the minimum required floor area.

(iii) Considering the Planning Commission's recommendation and pursuant to Section 15.6.2.d of the zoning ordinance, a minimum first floor area of approximately 688 square feet, not including garage area, is approved for the detached single-family four bedroom dwelling units within the Development, provided the total floor area shall exceed 1,040 square feet. This reduction is based upon a finding that this reduction meets the criteria set forth in the zoning ordinance based on the following factors, among others:

(1) The design of the units is such that there is living space above the first-floor garage, with the result that the footprint of the buildings do exceed 720 square feet;

(2) The total floor area of the units otherwise exceeds the minimum required floor area for single-family dwellings;

(3) The units are part of a development occupied on a rental basis which is predominately two and three-family dwellings, such that concerns regarding impact on property values and similar concerns are not of the same significance here as might be in a traditional owner occupied neighborhood.

(iv) The buildings shall be located and shall be set back from property lines, streets, and off-street parking areas as shown on the Plan.

(v) Except for the construction shown on the Plan, all dwellings shall be set back a minimum of 33 feet from the boundary of the Development, and there shall be a 15 foot or wider no disturb zone around the perimeter of the Development as shown on the Plan in which no drives or parking areas shall be installed, and in which natural vegetation shall be preserved to the maximum extent possible, except for retaining walls as shown on the site grading plan. The Planning Commission or site plan review committee, upon final review of the project, may require additional plantings to supplement the buffer area.

(vi) The buildings shall have substantially the design and elevations shown on the drawings submitted with the PUD application. No buildings in the Development shall exceed a height of 35 feet.

(vii) The clubhouse building and the outdoor pool shall be located as shown on the Plan. The clubhouse building shall have substantially the appearance shown on the drawing submitted with the application. The maintenance building shall be a wood-framed building, with vinyl siding that shall match the exterior appearance of the clubhouse building and the dwelling buildings.

(d) **Access; Off-Street Motor Vehicle Parking.**

(i) Ingress to and egress from the Development shall be by means of two private street entrances extending north off Knapp Street.

(ii) The two street entrances to the Development shall be subject to the approval of the Kent County Road Commission as to their location and configuration. Any required deceleration lanes or other required elements of the street entrances, or other improvements to Knapp Street shall be designed and constructed at the expense of the applicant and shall be subject to final approval by the County Road Commission.

(iii) Approval is given based on the condition that the County Road Commission is progressing toward extension of the center turn lane which now terminates on Knapp Street west of the Development, to service both entrances to the Development prior to occupancy of the Development.

(iv) The streets in the Development shall be designed, constructed and completed in accordance with Township private street requirements, as stated in Chapter 27 of the zoning ordinance. An area equivalent to at least a 40 feet right-of-way area shall be provided for the internal streets. The streets shall be paved in accordance with Section 27.7.3; the width of the

pavement shall be at least 26 feet at all locations in accordance with Section 27.7.5, and 34.5 feet in these locations designated for on-street parking. The names of the streets shall be subject to approval by the County Road Commission. Other aspects of the construction of the streets shall comply with Section 27.7.

(v) Off-street motor vehicle parking areas and parking spaces shall be located as shown on the Plan. The parking areas and access drives, including all maneuvering lanes, shall be located as shown on the Plan, and shall be constructed with materials equal to or better than the standards established by the County Road Commission for commercial driveways. All internal driveways and parking areas shall be finished with an asphalt surface having a minimum thickness of 3.5 inches.

(vi) The off-street parking areas, sidewalks and internal access drives shall be maintained in good condition, free from dust, trash and debris.

(vii) The Development shall include at least 520 off-street parking spaces, of which 219 shall be in garages attached to each unit, 219 in the apron outside each garage, and 46 off-street spaces as shown on the Plan. An additional 36 on-street spaces shall be provided as shown on the Plan.

(viii) The Planning Commission, or the site plan review committee, on final review of the Plan, may require preservation of existing vegetation or supplemental plantings to buffer and screen the east entrance driveway from the adjacent property to the east.

(ix) The clubhouse building and outdoor pool area shall have at least 34 parking spaces, included in the above-stated total number, as shown on the Plan.

(x) All aspects of the off-street parking areas shall comply with applicable provisions of Chapter 28 of the zoning ordinance.

(xi) Each outdoor off-street parking space shall be at least 9 feet wide and at least 18 feet long, and each on-street space at least 8.5 feet wide and 22 feet long.

(xii) Maneuvering aisles within off-street parking areas shall range between 24 feet wide and 28 feet wide, and the Plan shall be revised accordingly, if necessary.

(xiii) All off-street parking areas shall comply with Section 28.5 as to parking lot surface and drainage, lighting, setbacks, areas for snow storage and other requirements.

(xiv) An obscuring fence shall be constructed across those stub streets/drives which terminate at the perimeter of the Development for safety and to block headlights, to be approved by the site plan review committee.

(e) **Sanitary Sewer System and Public Water Supply.**

(i) The Development shall be served by the public sanitary sewer system and the public water supply system. The necessary sewer and water mains, laterals and other appurtenances necessary to supply potable water to the buildings in the Development and to collect and transmit sewage from the buildings in the Development shall be installed according to Township specifications and dedicated to the public upon completion. Such sanitary sewer and water supply facilities shall be designed and installed at the sole expense of the applicant.

(ii) All aspects of the sanitary sewer system and water supply system within the Development shall be subject to the approval of the City of Grand Rapids and Township Engineer.

(iii) The applicant shall obtain Township approval of the connection of the buildings in the Development to the public sanitary sewer system and the public water supply system under the terms of the Township water and sewer ordinances. All other aspects of the design, installation, operation and maintenance of the sanitary sewer system and the public water supply system within the Development shall comply with the terms of the ordinances.

(iv) The applicant has submitted a preliminary utility plan for review by the City of Grand Rapids and the Township Engineer. It shows in schematic fashion the locations of proposed public sanitary sewer facilities, public watermain and public storm sewer within and for the Development. The water and sewer system shall be subject to final approval by the Township Engineer and City of Grand Rapids. At the Applicant's expense, and subject to approval by the Township Engineer and City of Grand Rapids (i) the watermain shall be extended to the east along the entire Knapp Street frontage of the Development and to the I-96 right of way line, and within the development in order to serve existing properties to the east and north and (ii) the sanitary sewer main, with laterals and appropriate easements to serve the three existing properties to the east of the Development and the property to the north, shall be installed either in Knapp Street or within the Development to provide service to the those properties and the property to the north.

(v) The Development is located outside the current Township Sewer Utility District. The applicant or the Township shall make an appropriate request to the Grand Rapids Utility Advisory Board, for expansion of the sewer district to accommodate the Development. Public sanitary sewer service for the Development shall be subject to such approval by the Utility Advisory Board.

(f) **Storm Water Drainage.**

(i) The storm water drainage plan and the design, construction and operation of the storm water drainage system shall comply in all respects with the Township Storm Water Ordinance. The drainage plan and storm water drainage system for the Development shall be reviewed by the Township Engineer and shall be subject to the engineer's approval, under the terms of the Storm Water Ordinance, as recently adopted.

(ii) The use of the surface water drainage system in the Development and the discharge of waters from the storm sewer system and other elements of the surface water

drainage system shall be accomplished so as to have no adverse effect upon the Development lands, or upon adjacent or nearby lands or surface waters, by reason of flooding, erosion, pollution or otherwise.

(iii) The storm water drainage system shall include such measures for storm water detention and/or retention, in order that storm water drainage from all improved areas within the Development shall be detained or retained in accordance with requirements of the Township Storm Water Ordinance and those of the Township Engineer.

(iv) As required by the Township Storm Water Ordinance, the applicant shall prepare and submit to the Township a Storm Water Maintenance Agreement, satisfactory to the Township, signed by all parties in interest in the Development lands, and providing for the timely and full implementation of the approved storm water plan for the Development, to be recorded following approval. The Agreement shall, among other provisions, grant sufficient and convenient access to the Township for inspection and related purposes; shall require timely, proper and sufficient maintenance, repair and replacement of all storm water management facilities; establish adequate emergency overland flow-ways; and require all necessary maintenance, repair and replacement of such storm water facilities by the applicant at its expense or, in the absence or failure thereof, shall provide for the accomplishing of such work by the Township, with the cost thereof to be secured by an acceptable letter of credit given by the applicant, a lien or similar encumbrance on the Development lands or other security acceptable to the Township.

The Agreement shall be submitted to the Township attorney and shall be subject to the attorney's approval, prior to recording. If requested, the applicant shall submit a certified last owner of record search covering the Development property, so as to establish the correct identity of all of the parties in interest in the Development property, for purposes of signing the Storm Water

Maintenance Agreement. After recording, a copy of the Agreement as recorded shall be promptly submitted to the Township.

(v) The storm water drainage system shall also comply with the other requirements stated in the Township Engineer's letter(s) of July 2, 2021, September 16, 2021 and October 19, 2021, and other or subsequent requirements of the Township Engineer with respect to storm water drainage, consistent with the Township Storm Water Ordinance and this Ordinance. Without limiting the generality of the foregoing, the engineer shall evaluate potential impact on elevation of water levels in the wetlands areas on and adjacent to the Development and make requirements to prevent adverse effects on the wetlands.

(vi) The applicant has shown in schematic fashion the stormwater drainage system for the Development, on the grading and utility plan. No other specific detail has been included, nor have calculations been shown as to expected stormwater volume and other factors concerning the design, construction and operation of the stormwater drainage system. The applicant shall prepare and submit for Township and Township Engineer approval, a complete stormwater drainage plan for the Development, including all aspects of the stormwater drainage system required under the terms of the Township stormwater ordinance and otherwise in accordance with Township requirements. The stormwater drainage plan shall be subject to the approval of the Township Engineer.

(vii) The storm water system shall be designed, constructed, and operated in accordance with the updated rules of the County Drain Commissioner and newly-adopted Township Storm Water Ordinance.

(g) **Open Space and Amenities Therein.**

(i) The Development shall include dedicated open space equal in area to at least 50% of the area of the Development, based on total area, excluding street rights-of-way,

other public easements and wetlands. The open space area shall include the existing wetland located in the northwesterly portion of the property.

(ii) The open space shall not be improved or developed but shall consist only of the existing or proposed plantings and other landscaping features; provided, however, that open space areas may be used for passive recreation, such as by means of walking trails, viewing areas and the like. The applicant will prepare a plan for, and install walking trails for better access to common areas, subject to the approval of the zoning administrator, who may refer the design of such amenities to the site plan review committee.

(iii) The open space areas shall be maintained by the applicant or a legally established property association and shall be set aside for solely the passive use of residents of the Development and their guests.

(iv) The applicant shall prepare and submit for approval of the Township attorney a recordable restrictive covenant or comparable legal instrument, whereby the open space areas shall be permanently set aside as common open space, undeveloped, and to be used only for the permitted passive recreation uses specified herein. The restrictive covenant shall be legally sufficient to run with the land and thus be binding upon all subsequent owners of the property. Upon approval of the restrictive covenant by the Township attorney, it shall be recorded with the county register of deeds; after recording, a recorded copy of the instrument shall be promptly submitted to the Township zoning office.

(h) **Utilities.** Natural gas service, electrical service and telephone and cable television service to the Development shall be by means of underground facilities.

(i) **Soil Erosion and Sedimentation Control.** In the construction and use of the Development, the applicant shall comply in all respects with any required soil erosion and sedimentation control permit. A copy thereof shall be submitted to the Township.

(j) **Landscaping and Screening.**

(i) The applicant has submitted a detailed landscape plan, including new plantings and preservation of existing tree areas.

(ii) Installation of landscaping shall comply with Section 29.4. Proposed plantings shall comply with the types of vegetation described in Section 29.5, or as otherwise may be permitted by the Planning Commission or site plan review committee.

(iii) A fence may be required, at the Developer's expense, of a construction, height, and location to be determined in consultation with St. John's Home, subject to final determination and approval by the site plan review committee.

As provided in Section 29.7, each 100 feet of length of the greenbelt shall include plantings of at least two deciduous canopy trees, two ornamental trees and four evergreen trees, or any combination thereof, or as otherwise specified by the Planning Commission or site plan review committee. In its discretion, the Planning Commission or committee may permit berms or other landscape features within the greenbelt areas. The existing trees along the west property line shall remain.

(iv) The landscape plan shows front yard landscaping at the frontage of the Development along Knapp Street, as required by Section 29.8. There shall be at least two deciduous canopy trees, three evergreen trees and eight shrubs for each 100 feet in length of Knapp Street frontage within the Development, or as may otherwise be required by the Planning Commission or site plan review committee. Earthen berms may be included within the front yard landscaping, if permitted by the Planning Commission or site plan review committee.

(v) All parking areas shall be sufficiently buffered by landscaping or through other means so that the headlights of vehicles within the parking areas and drives do not cast substantial light onto adjacent R-1 zoned lands.

(vi) If, upon its review of the landscape plan, the Planning Commission or site plan review committee requires further or alternative landscaping, the applicant shall revise the landscape plan by the addition of such other plantings as may be required, and then submit a revised landscape plan for review or, in the Planning Commission's or committee's discretion, the revised plan may be submitted for review by the zoning administrator. The height of trees and shrubs when planted shall be subject to the approval of the Planning Commission or site plan review committee or, if so directed, such review and approval may be undertaken by the zoning administrator.

(vii) Landscaping and plantings, trees and shrubs as shown on the landscape plan, including existing vegetation, shall be replaced as necessary to continue to provide the landscape and screening as shown in the approved plan, in perpetuity.

(viii) The applicant will consult and reasonably cooperate with the neighbors residing in homes around the perimeter of the Development regarding removal of existing vegetation, prior to commencing work.

(k) **Wetland Area.** The Plan shows a substantial existing wetland area in the northwest portion of the property. The wetland, and other wetlands within the property, shall not be disturbed or otherwise adversely affected, except in accordance with all necessary wetland permits or other required approvals from the Michigan Department of Environment, Great Lakes and Energy.

(l) **Outdoor Lighting.** No outdoor lighting or photometric plans have been submitted, and no information has been provided as to whether the buildings or any of them are proposed to have outdoor wall lighting, or whether other outdoor lighting may be added in the more distant reaches of parking areas, for the benefit of pedestrians during nighttime hours. The applicant shall submit a detailed lighting plan and a photometric plan, both of which shall be subject to the review and approval of the site plan review committee, including matters with respect to sufficiency

of outdoor lighting and any additional proposed outdoor lighting, including lighting, if any, on exterior building walls or otherwise.

(m) **Sidewalks; Non-motorized Trail.**

(i) Concrete sidewalks at least five feet in width shall be constructed and maintained within the Development as shown on the “Driveway Exhibit” to the Plan, with raised curbs and sidewalks between driveways.

(ii) Currently, there is a sidewalk located along the north side of Knapp Street, extending easterly from the driveway to the St. John’s Home property, which is adjacent on the west to the Development, to a point just west of the west line of the Development.

(iii) The Developer will, at its expense, construct a 5-foot-wide sidewalk commencing at and connecting to the above-described existing sidewalk along Knapp Street, and continuing across the entire Knapp Street frontage of the Development and also across the Knapp Street frontage of the excepted parcel between the two entrance driveways of the Development, and also across the Knapp Street frontage of the land adjacent to the east line of the Development, to an end-point as near as permitted to the I-96 bridge.

(iv) The sidewalk shall be constructed of concrete, and shall have such depth, sub-base and other characteristics as are required by the Township for other sidewalks within the Township.

(v) If the sidewalk is constructed within the Knapp Street right of way, its location within the right of way shall be subject to the approval of the County Road Commission. The applicant shall otherwise comply with county road requirements, including the granting of an easement, if required, and any such easement shall be in favor of the road commission or the Township, whichever is required.

(vi) The sidewalk shall be constructed and ready for use at such time as required by the Township, weather conditions permitting.

(vii) For construction of a potential future pedestrian and non-motorized trail, the applicant has voluntarily agreed to grant, and shall grant to the Township, by an instrument in recordable form and subject to the approval of the Township attorney, a pedestrian and non-motorized trail easement, 16 feet in width or lesser width acceptable to the Township, extending easterly across the entire length of the Knapp Street frontage of the Development.

(n) **Signage.**

(i) No drawing or other detail regarding an identification sign for the Development has been submitted.

(ii) The applicant shall prepare and submit a detailed sign drawing of a proposed ground sign or signs stating the name of the Development. The sign drawing and other information submitted shall include dimensions of the sign or signs, the specific location thereof and details as to illumination, if any.

(iii) The identification sign or signs shall comply with the requirements for residential community signs stated in Table 30.11 of Section 30.11. Any such sign shall not be larger than 24 square feet nor higher than seven feet; it shall be located at least five feet away from property and street right-of-way lines.

(iv) There may be one residential community sign for each entrance to the Development; provided, however, that the total area for all wall signs and ground signs within the Development shall not exceed 32 square feet, in accordance with Table 30.11 of Section 30.11 of the zoning ordinance.

(v) In addition to permitted residential community signs and any permitted wall signs, there may be directional signs within the Development if approved by the site plan review committee, and in accordance with the terms of any such approval.

(vi) Signage plans shall be subject to the approval of the site plan review committee or, in its discretion, such approval may be undertaken by the zoning administrator.

(o) **Fire Protection.** The design, layout and construction of the Development shall be reviewed by the Township Fire Chief as to matters of public safety, emergency access and sufficiency of the fire protection water supply. The recommendations, if any, of the Fire Chief on these matters shall be complied with by the applicant, unless otherwise provided by an amendment in this ordinance.

(p) **Phasing.** The Development will be constructed in phases as proposed by the Applicant and approved by the Site Plan Review Committee. Each phase shall be constructed and completed such the Development shall appropriately function if remaining phases are delayed or abandoned. The second entrance to the development will be available for use before a certificate of occupancy is approved for the 76th unit in the Development.

(q) **Waste Disposal.** Each unit will have an individual trash and/or recycle bin to be stored in each garage, except on collection days. Sufficient space for refuse disposal for the clubhouse shall be subject to approval by the site plan review committee.

(r) **Review by Planning Commission and Site Plan Review Committee.**

(i) The Plan, as it is required to be revised, amended and augmented by the terms of this ordinance, shall be subject to review and approval by the site plan review committee. Review by the site plan review committee shall be guided by the provisions of Chapter 26, with respect to site plan review, and Chapters 14 and 15, with respect to applicable PUD requirements, and other provisions of this ordinance.

(ii) It is recognized that a development of the scope and complexity of this Development may require adjustment in certain of the regulatory provisions herein, once changes in the land and proposed building construction are further designed or after work at the site has commenced. The Township Board desires that such adjustments of a minor character or which are made necessary by minor conditions not known at the time of adoption of this ordinance be considered in a timely manner, consistent with established Township procedures.

Accordingly, the site plan review committee may consider and approve minor adjustments and minor modifications in the terms hereof, if such adjustments or modifications would not be material or significant in relation to the entire Development; provided, however, that such action shall not include major changes in the Development or other matters included only within the legislative authority of the Township Board, other than as delegated herein. To assist in a determination as to whether particular adjustments or modifications would qualify as only minor changes in the Development, for purposes of this subparagraph, members of the committee may confer informally with the zoning administrator. Alternatively, if desired, the site plan review committee may refer such proposed adjustments or modifications to the Planning Commission, for decision.

Section 3. **Township Board Findings.** The Township Board determines that the Development satisfies the purposes of the R-PUD District as stated in Section 15.1 of the zoning

ordinance, and the standards for approval of all PUDs, including but not limited to the following, if the requirements of this ordinance are timely and fully satisfied:

(a) The Development would result in a recognizable and substantial benefit to the ultimate users of the Development and to the Township and the public, though otherwise such benefit would be unfeasible or unlikely to be achieved.

(b) The Development would not result in a material increase in the need for public services, facilities and utilities or place a material burden upon the subject or surrounding land or the natural environment. While the construction and use of the Development would result in an increase in occupied building area, improvements in the utility systems serving this location are adequate to provide the necessary services for the additional building construction and use.

(c) The Township Comprehensive Land Use Plan serves as a guide for anticipated growth in a manner that is logical, aesthetically pleasing and economical. The Development is consistent with the goals and policies of the Comprehensive Plan, inasmuch as the Development will serve the current and future needs of Township residents and the area through unified and carefully controlled development.

(d) The Development would not result in significant adverse effects upon nearby or adjacent lands and would not change the essential character of the surrounding area.

(e) The Development is designed and would be laid out to preserve natural resources and natural features to the fullest extent possible.

(f) The Development would be under such ownership or control that there would be identifiable entities having responsibility for completion of the Development in compliance with zoning ordinance requirements.

(g) The Development would be consistent with the public health, safety and general welfare. The conditions set forth herein with regard to the Development are determined to

be those conditions which are necessary to ensure that public services and facilities affected by the Development will be capable of accommodating increased public service demands caused by the Development, to protect the natural environment and to conserve natural resources and energy, to ensure compatibility with adjacent land uses and to promote the use of land in a socially and economically desirable manner.

(h) In consideration of the public road improvements required herein, safe traffic flow would be maintained on adjacent and nearby streets once the Development has been established.

(i) In accordance with Sections 15.3.7 and 15.6.4 of the zoning ordinance, the Township Board finds that the standards for multi-family buildings with more than four units per building are satisfied, and accordingly, the Township Board specifically authorizes such buildings, as shown on the Plan.

Section 4. Enforcement.

(a) The Township may enforce the provisions of this ordinance and applicable provisions of the Zoning Ordinance, construction code and other ordinances, laws and regulations to the extent and in any manner provided by law.

(b) In the event that the applicant shall fail to carry out, either at all or on a timely basis, any provision or requirement of this ordinance or other applicable law, ordinance or regulation, the Township may through its building official or other Township agency issue and post a stop work order at the site of any improper or non-complying part of the Development, directing that all further construction of such part of the Development be ceased forthwith, pending compliance with any applicable provisions of this ordinance or of other Township ordinances, regulations or state laws.

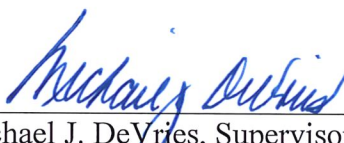
(c) Upon the issuance of any stop work order, the applicant shall comply fully therewith without delay. Upon the correction of any matters as to which the stop work order was issued, the Township shall promptly rescind and remove the stop work order, whereupon the applicant may again proceed with construction or other permissible activity as to the Development. The issuance and posting of any stop work order shall not be an exclusive remedy but may be undertaken by the Township in addition to all other lawful means of enforcement.

Section 5. **Publication/Effective Date.** This Ordinance shall become effective seven days after its publication or seven days after the publication of a summary of its provisions in a local newspaper of general circulation.

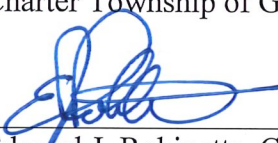
AYES: Members: Christopoulos, DeVries, Mott, Robinette, Van Popering

NAYS: Members: None

ORDINANCE DECLARED ADOPTED.



Michael J. DeVries, Supervisor
Charter Township of Grand Rapids



Edward J. Robinette, Clerk
Charter Township of Grand Rapids

First Reading: November 2, 2021

Second Reading: November 16, 2021

Ordinance Becomes Effective: November 30, 2021

STATE OF MICHIGAN)
) ss.
COUNTY OF KENT)

I hereby certify that the foregoing is a true and complete copy of an Ordinance adopted by the Township Board of the Charter Township of Grand Rapids at a public meeting held on the date

first stated above, and I further certify that public notice of such meeting was given as provided by law.



Edward J. Robinette, Clerk
Charter Township of Grand Rapids

