

**For second reading and public hearing by Township Board on 12/1/15**

**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 first day of December, 2015, at 7:00 p.m.

PRESENT: Members: DeVries, Merchant, Pierangeli, Robinette, VanDyke, VanPoering

ABSENT: Members: Roth

The following ordinance was offered by Member Merchant and supported by Member Pierangeli.

**ORDINANCE NO. 508**

**AN ORDINANCE TO AMEND THE ZONING ORDINANCE  
OF THE CHARTER TOWNSHIP OF GRAND RAPIDS**

**[Universal Forest Products Planned Unit Development]**

THE CHARTER TOWNSHIP OF GRAND RAPIDS ORDAINS:

**Section 1. Planned Unit Development.** The Zoning Ordinance of the Charter Township of Grand Rapids is hereby amended by the amendment of Section 3.3 thereof, the zoning map, to rezone the following described lands from the R-1 Single Family Residential District, the C-1 Suburban Neighborhood Commercial District and the C-2 Suburban Office District to the O-PUD Office Planned Unit Development District, in accordance with the Final Development Plan of the Universal Forest Products Planned Unit Development, subject to all of the following terms and conditions of this ordinance:

That part of the SE 1/4 of Section 3, T7N, R11W, described as commencing at the Southeast corner of said Section, thence N88°47'29"S West 50.0 feet; thence N01°19'57"S East 349.48 feet to the point of beginning of this description; thence N88°40'03"W 40 feet; thence N01°19'57"E to the North line of the South 474 feet of the SE 1/4; thence W'y along said North line to West line of East 1/4, SE 1/4; thence South to the SW corner of the E 1/4, SE 1/4; thence East along South Section

line to a point 200 feet west along the South Section line from SE corner of Section; thence NE'ly along a line extending NE'ly to a point of intersection with the East Section line at a point 300 feet North of the SE corner of said section; thence N01°19'57"E to the point of beginning; and also the East 124 feet of the South 658 feet of the West 1/2 of the East 1/2 of the SE 1/4 of said Section; and also the South 350 feet of the West 124 feet of the East 248 feet of the West 1/2 of the East 1/2 of the SE 1/4 of said Section; and also the South 350 feet of the West 124 feet of the East 372 feet of the West 1/2 of the East 1/2 of the SE 1/4 of said Section; and also the North 308 feet of the South 658 feet of the West 124 feet of the East 248 feet of the West 1/2 of the East 1/2 of the SE 1/4 of said Section; and also the North 308 feet of the South 658 feet of the West 124 feet of the East 372 feet of the West 1/2 of the East 1/2 of the SE 1/4 of said Section; Grand Rapids Township, Kent County, Michigan.

In the case of conflicts or discrepancies between any part of the Preliminary Development Plan and the terms of this ordinance, this ordinance shall control.

**Section 2. Conditions on the Planned Unit Development.** The rezoning of the above described lands to the O-PUD District, in accordance with the Development Plan for the Universal Forest Products Planned Unit Development (the "Development"), is expressly subject to all of the following terms and conditions:

(a) **Development Plan.** The Development shall comply in all respects with the Development Plan (the "Plan") with a last revision date of September 28, 2015, (portions of the Plan being dated September 9, 2015), 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.

(b) **Land Uses.** The Development consists of two parts which are to be developed and used as a single unified development or campus consisting of buildings and other site improvements used for office, administrative and related purposes in the applicant's business, to the extent permitted in the O-PUD District. One part of the Development, previously zoned in the C-1 and C-2 Districts, is and has been fully developed for a substantial period of time and is used for

permitted office, administrative and related purposes in the applicant's business; the other part of the Development consists of an additional, undeveloped parcel adjacent to the west line of the applicant's existing office campus. For convenience in this ordinance, these two parts of the Development are designated as Parcel A and Parcel B, as follows:

(1) Parcel A consists of the applicant's entire existing office campus, as shown on the Plan.

(2) Parcel B consists of the additional, west parcel, to be added to the existing office campus in accordance with this ordinance and the Plan.

(c) Parcel A. This parcel is approved as shown in the Plan, except as otherwise provided in this ordinance. Generally, Parcel A now consists of the following major improvements, all of which may continue in accordance with this ordinance and the O-PUD District:

(1) About seven office/administrative buildings, including an executive/corporate services building; an accounting and finance building; an information systems building; a hospitality center; a sales and marketing building; an engineering building; and a maintenance building. Some of such buildings are connected to other buildings; others are separate. There are both one-story and two-story buildings.

(2) Other site improvements include three entrance driveways off Three Mile Road; off-street parking lots; internal circulation routes; sidewalks; public water supply and sanitary sewer systems; a storm water drainage system; landscaping; outdoor lighting; signage; certain fencing; and other land use features and amenities.

(d) Parcel B.

(1) Building; Minimum Setbacks.

(i) Parcel B shall include a one-story building for office space, meeting rooms and product-testing facilities, of about 15,000 square feet, to be located at a setback

of about 50.7 feet from the north line of Parcel B and about 120 feet from the west line of Parcel B, adjacent to the existing maintenance building.

(ii) While the Plan shows a 22,500 square foot future building and a future off-street parking area located south of the proposed one-story building, off three Mile Road, the applicant subsequently informed the Township on October 2, 2015, that the “future building shown on the plans was shown purely for conceptual purposes and should not be considered as a part of the site plan and PUD for which UPF seeks approval at this time.” Accordingly, that portion of Parcel B indicating a future building and future parking area shall be amended to delete the conceptual outlines for these facilities, and the Plan shall be promptly revised accordingly and be submitted as revised to the Township zoning office.

(iii) The building shall not be used for manufacturing or warehouse purposes, nor other production of products in quantity for sale or distribution. Hours of operation of the building shall be similar to those of the buildings in Parcel A.

(iv) The building may have the exterior doors, walkways and other external features shown on the Plan, including the additional crushed concrete walkway extending from the north line of the building along its west side, to a concrete area and door to be located at the southwest corner of the building. There shall be no outside storage or accumulation of goods, materials or the like.

(v) The building shall have substantially the design and appearance shown on the rendering submitted by the applicant.

(2) Access; Off-Street Parking and Loading.

(i) There shall be no vehicle entrance or exit driveway to or from Parcel B, at Three Mile Road. Motor vehicle access to Parcel B shall be only by means of the internal driveway system in Parcel A, as shown on the Plan.

(ii) The Development shall have at least 188 off-street parking spaces, all located in Parcel A.

(iii) The off-street loading area, approximately 132 feet by 126 feet, located at the south line of the building is deemed satisfactory for the applicant's purposes. The 16-foot wide sidewalk connection to the outline of the future building to the south shall be deleted from the Plan. The 30-foot by 10-foot dumpster area shown at the southeast corner of the north loading area shall be fully screened on all exposed sides.

(3) Sewer Systems and Water Supply.

(i) The Development, including both Parcels A and B, shall be served by the public water supply system and the public sanitary sewer system. The necessary sewer and water mains, laterals and other appurtenances necessary to supply potable water to the buildings and to collect and transmit sewage from the buildings in the Development shall be installed according to Township specifications, at the sole expense of the Developer, and dedicated to the public upon completion. All aspects of the sanitary sewer system and water supply system shall be subject to the approval of the Township engineer.

(ii) The Developer shall obtain Township approval of the connection of the building in Parcel B of the Development to the public sanitary sewer system under the terms of the Township water and sewer ordinance. All other aspects of the design, installation, operation and maintenance of the sanitary sewer system within the Development shall comply with the terms of said ordinance.

(iii) Domestic water supply to the building in Parcel B shall be provided by means of the public water supply system within the time specified for connection under the terms of the Township water and sewer ordinance.

(4) Storm Water Drainage.

(i) That part of the Plan titled “Site Development and Utility Plan” includes elements of the proposed storm water drainage system, but if required by the Township engineer, the applicant shall prepare and submit a separate storm water drainage plan, including such additional matters, if any, required by the engineer. 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 Parcel B shall be reviewed by the Township engineer and shall be subject to the engineer’s approval, under the terms of the storm water ordinance. The applicant shall comply with the requirements of the Township engineer as stated in his October 21, 2015 letter.

(ii) The use of the surface water drainage system in the Development, including Parcels A and B, 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 significant adverse effect upon the Development lands, or upon adjacent or nearby lands or surface waters, by reason of erosion, pollution or otherwise.

(iii) The storm water drainage plan and the storm water drainage system shall be designed, constructed and operated in compliance with the Township storm water ordinance. That part of the storm water drainage system serving Parcel B shall be subject to the issuance of a storm water permit.

(iv) In accordance with the October 21, 2015 letter of the Township engineer, the applicant shall prepare and submit for Township approval a storm water maintenance agreement specifying in detail the maintenance activities that shall be carried out as to the storm water retention basin, including detail as to the periodic maintenance that shall be required on the bottom of the pond, to allow for sufficient infiltration of retained storm water drainage. The draft of

the storm water maintenance agreement shall be subject to Township engineer and Township attorney approval.

(v) The storm water retention basin shall include an eight-foot-high berm constructed and maintained across the natural drainage course, with side slopes as stated in the Township engineer's October 21 letter. The side slopes shall be planted and maintained with grass, which shall be periodically mowed.

(vi) The PUD plan does not include final drainage computations, and accordingly, the applicant shall submit to the Township, for Township engineer approval, a final detailed storm water management plan, including all relevant drainage computations. The plan and the drainage computations shall be subject to Township engineer approval, based on a design to eliminate surface storm water drainage flow for up to a 100-year storm event.

(5) Utilities. Natural gas service, electrical service, telephone and similar services to Parcel B shall be by means of underground facilities.

(6) Soil Erosion and Sedimentation Control. In the construction and use of Parcel B, the applicant shall comply in all respects with any required soil erosion and sedimentation control permit. A copy thereof shall be promptly submitted to the Township zoning office.

(7) Landscaping and Screening.

(i) Landscaping shall be provided and maintained in accordance with the landscaping provisions of the Plan, subject to compliance with applicable Township landscaping requirements. The existing trees and other major vegetation shall be maintained in that part of Parcel B located to the south of the proposed building, except minor landscaping associated with the dwellings and other buildings currently on the property.

(ii) There shall be a required greenbelt of at least 25 feet in width along the north property line, opposite the proposed building, inasmuch as the lands to the north are also zoned in the R-1 District. Existing trees between the building and the north property line may be used as a part of the required greenbelt.

(8) Outdoor Lighting.

(i) The applicant has submitted an outdoor lighting plan of Parcel B, dated September 9, 2015. The lighting plan includes drawings and details of the three types of lighting proposed to be installed.

(ii) The lighting plan shows the following outdoor lighting to be installed in Parcel B with respect to the building and the site thereof: two pole lights, to be less than 20 feet in height, located between the building and the adjacent blacktopped area and the retention basin at the northwest corner of Parcel B; likewise, two pole lights, also less than 20 feet in height, would be located at the southeast corner and near the northeast corner of the blacktopped area at the south side of the building.

All outdoor light fixtures shall direct illumination downward, so as not to illuminate other areas or locations. Based on the lighting plan submitted, the proposed outdoor lighting for Parcel B is approved.

(9) Signage. The Plan shows no signage for Parcel B, either on the office building or at freestanding locations, and accordingly, none is approved. If the applicant proposes signage within Parcel B, a separate signage plan shall be submitted to the zoning administrator and shall be subject to the administrator's approval, or alternatively, the administrator may refer the same for approval by the Site Plan Review Committee.

(10) Future Building and Parking. Should the applicant desire at a future time to develop that part of Parcel B located south of the proposed building, any such development



shall be approved only by means of an amendment of this ordinance, requiring the same procedures as are required for an original PUD approval, including a Planning Commission public hearing, after the required publication and mailing of notice, and final action by the Township Board by means of an ordinance amending this ordinance.

(11) Fire Protection. The design, layout and construction of Parcel B, including the building, the entrance driveway and circulation routes 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 such matters are otherwise provided by means of an amendment in this ordinance.

(12) Other Matters.

(i) There are three dwellings and two detached garages currently located on Parcel B. One of the dwellings and one of the garages, located at the north end of Parcel B, may be removed, for the purpose of constructing the proposed building and other site improvements. The applicant has stated that the other two dwellings and one attached garage will likely remain on the property and may continue to be used for residential purposes. Such residential uses are not permitted in the O-PUD District, nor are they permitted by the terms of this ordinance. Accordingly, such existing residential uses shall, upon the adoption and effectiveness of this ordinance, become lawful nonconforming uses, to the extent permitted by the nonconforming use provisions of the Township zoning ordinance.

(ii) The wood fence shown to be located along the entire west property line of Parcel B shall be retained, and shall be maintained in good condition.

(iii) The applicant shall fully comply with the requirements of the Township engineer as stated in such correspondence or reports as may be submitted by the engineer,

together with other requirements of the engineer with respect to the Development, consistent with this ordinance, the Township zoning ordinance and other applicable ordinances.

**Section 3. Township Board Findings.** The Township Board determines that the Development complies with the minimum standards for approval of a Planned Unit Development under the terms of Section 13.13 and Section 13.14.5 of the zoning ordinance as follows:

(a) The Development will result in a recognizable and substantial benefit to the ultimate users of the project and to the community where such a benefit would otherwise be unfeasible or unlikely to be achieved.

(b) The Development will 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, the utility systems serving this location are adequate to provide the necessary services for the additional building construction and use.

(c) The Development would be compatible with the Township comprehensive land use plan and would be consistent with Chapter 13 of the zoning ordinance, pertaining to planned unit developments.

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

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

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

(g) The Development will 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 insure 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 insure compatibility with adjacent land uses and to promote the use of land in a socially and economically desirable manner.

**Section 4. Enforcement.**

(a) The Township may enforce the provisions of this ordinance and applicable provisions of the zoning ordinance, building code and other ordinances, laws and regulations to the extent and in any manner provided by law. 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 inspector 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 Township ordinances, regulations or state laws.

(b) 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: VanDyke, VanPopering, DeVries, Merchant, Pierangeli, Robinette

NAYS: Members: None

ORDINANCE DECLARED ADOPTED.

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Michael J. DeVries, Supervisor  
Charter Township of Grand Rapids

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Edward J. Robinette, Clerk  
Charter Township of Grand Rapids

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

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Edward J. Robinette, Clerk  
Charter Township of Grand Rapids

First Reading:           November 3, 2015

Second Reading:        December 1, 2015

Ordinance Becomes Effective:       December 20, 2015