CHARTER TOWNSHIP OF LOWELL
COUNTY OF KENT, MICHIGAN

AN ORDINANCE TO CREATE THE ALDEN RIDGE PUD

As Recommended to the Lowell Township Board
by the Lowell Township Planning Commission
January 11, 2016

At A Regular Meeting Of The Township Board Of The Charter Township Of Lowell Held In The Township Hall, 2910 Alden Nash Avenue SE In Lowell Township On February 16, 2016, At 7:00 P.M

PRESENT: Hale, Regan, Benedict, Anderson, Blough, Thompson
ABSENT: Vanderziel

The following ordinance was offered for adoption by Township Board Member Thompson and was

seconded by Township Board Member Anderson:

ORDINANCE NO. 01-2016

AN ORDINANCE TO AMEND THE ZONING ORDINANCE, OF THE CHARTER TOWNSHIP OF LOWELL TO ESTABLISH THE ALDEN RIDGE OPEN SPACE PLANNED UNIT DEVELOPMENT ZONING DISTRICT

THE TOWNSHIP OF LOWELL ORDAINS:

SECTION 1. Zoning Map Amendment. The Zoning Ordinance and Map of the Charter Township of Lowell, Kent County, Michigan is hereby amended to rezone the following described lands from the R-1, Rural Low Density Residential District and the AG-2, Rural Agricultural District to the Alden Ridge Open Space Planned Unit Development District, in accordance with the Final Development Plan of the Alden Ridge Planned Unit Development, subject to all of the terms and conditions of this Ordinance:

PP# 41-20-11-351-005 being the S 1/2 S 1/2 LYING NWLY OF WLY LINE OF ALDEN NASH AVE /120 FT WIDE SEC 11 T6N R9W 19.19 ACRES and;

PP# 41-20-14-100-074 being PART OF NW 1/4 COM AT NW COR OF SEC TH S 0D 39M W ALONG W SEC LINE 482.29 FT TH S 71D 55M 02S E 621.69 FT TO NWLY LINE OF ALDEN NASH AVE TH NELY ALONG SD NWLY LINE TO N SEC LINE TH N 89D 58M 20S W ALONG N SEC LINE TO BEG * SEC 14 T6N R9W 11.42 ACRES. LOWELL TOWNSHIP, KENT COUNTY MICHIGAN

SECTION 2. Conditions on the Planned Unit Development.
The rezoning of the above-described lands to the Open Space Planned Unit Development District, in accordance with the Final Development Plan of The Alden Ridge Planned Unit Development ("the

Development"), is expressly subject to all of the following terms and conditions:

a) ***Development Plan Compliance***
The Alden Ridge Planned Unit Development as submitted by Advanced Homes of West Michigan, ("the Applicant") whose address is 4013 Amazon Drive, Lowell, Michigan 49331 shall comply in all respects with the Final Development Plans (the "Plan") which consists of the following plans prepared by Roosien and Associates each with a last revision date of January 21, 2016:

1) A Site Plan showing the development of the entire site;

2) A Grading, Storm, Sewer, and SESC plan;

3) A Natural Features Plan;

4) An Existing Conditions Plan;

5) A ¼ Mile Area Plan.

Such Plans shall be revised and modified as required by this Ordinance and the Final Plans as approved by the Township Board shall be signed by the Chairman of the Lowell Township Planning Commission in accordance with the Section 21.05(e) of the Township Zoning Ordinance. In cases where there is a discrepancy between the Final Plan and this Ordinance, the provisions of this Ordinance shall control.

b) ***Land Uses***. The Development shall be constructed and used only for a maximum of 15 detached single-family dwellings with one dwelling each on a site condominium lot to be developed in phases as illustrated on the Final OS-PUD site plan. Residential accessory uses shall be as permitted and regulated by the provisions of the R-1, Rural Low Density Residential District and the applicable provisions of Article 4 of the Lowell Township Zoning District.

c) ***Open Space.***

1. Open space including a walking trail and playground shall be provided in the amount, locations and in the manner as illustrated on the Final OS-PUD site plan. The site plan shall illustrate the required amount of open space with calculations shown on the site plan.
2. **A separate Open Space Preservation and Maintenance Agreement shall be prepared by the applicant in accordance with the requirements of Section 14.06 (d) of the Township Zoning Ordinance before any building permits are issued. This document must be approved by the Township Attorney before it is recorded with the Kent County Register of Deeds.**

d) ***Development Standards.***

Minimum setbacks for dwelling units: Front- 25 feet
Side – 10 feet each side/ 20 feet total
Rear – 30 feet
Minimum lot size: 22,000 sq. ft.
Minimum lot width at required front setback line: 100 ft.
Maximum building height: 2 ½ stories or 35 ft.
Minimum floor area for dwelling units: Per Section 4.02 Table of General Bulk Regulations of the Lowell Township Zoning Ordinance

e) ***Sanitary Sewer System and Water Supply***. The Development shall be served by individual private wells and septic/drain field systems as may be approved by the Kent County Health Department.

f) ***Stormwater Management.*** Stormwater management and site grading shall comply with the requirements of the Kent County Drain Commissioner and shall be subject to the approval of the Township Engineer.

g) ***Utilities***. Natural gas, electrical, cable and telephone service to each of the units in the Development shall be by means of underground facilities.

h) ***Streets***. The Development will be served by a private street in accordance with the design specifications illustrated on Sheet 2 of 5 of the Final Development Plan and the applicable requirements of Article 19 Township Zoning Ordinance. **The applicant shall provide to the Township a private street maintenance agreement in accordance with Section 19.06 before issuance of a building permit.**

i) ***Signage***. There may be a sign at the entrance to the Development subject to the sign requirements for the R-1 Zoning District as specified in the Zoning Ordinance.

j) ***Sidewalks.*** Sidewalks are not required to be installed by the applicant **but the applicant shall provide a provision in the condominium master deed to allow the residents to assess themselves should they desire sidewalks in the future**. All sidewalks shall be five feet wide and constructed in accordance with Township standards.

k) ***Street lights***. Street lights shall be installed by the applicant as shown on the site plan with each phase of development in accordance with the Lowell Township outdoor lighting requirements.

l) ***Playground & Walking Trail***.

1. The playground illustrated on the Plan shall be improved as described in the applicant's letter to the Planning Commission dated January 4, 2016.
2. The playground and walking trail shall be completed following the construction and occupancy of three dwelling units.
3. The width of the walking trail shall be a minimum of four ft. with a wood chip surface. Access points to the trail system shall be marked with a sign.
3. The location of the trail shall be as close to the rear lot lines of Lots 1, 2, and 3 as is practical.

m) ***Landscaping***. The applicant shall plant trees along the Alden Nash Avenue frontage adjacent to the retention basin in order to replace the trees removed to accommodate the retention basin**. A tree planting plan shall be prepared by the applicant for approval by the Township Zoning Administrator. The trees shall be installed upon completion of the first home.**

The trees shall be a combination of deciduous trees with a minimum size of 2.5 inches in caliper at planting and evergreen trees at least four feet in height at planting. The number and placement of the trees shall be designed to maintain the rural view along Alden Nash.

n) ***Street trees.*** Street trees shall be installed with each phase of the Development**. A tree shall be installed by the developer of the plat for each lot within the street right of way prior to occupancy of the dwelling unit.** The trees shall be deciduous with a minimum size of 2.5 inches in caliper at planting.

SECTION 3. Other Considerations

a) All General Notes on the Plan shall be binding on the applicant unless superseded by this Ordinance.

b) **The applicant shall provide a copy of the driveway permit on Alden Nash Avenue as issued by the Kent County Road Commission before issuance of a building permit**

c) **The applicant shall include a provision in the condominium master deed to inform buyers of lots 9-15 in the Development that Township emergency vehicles may have difficulty accessing a dwelling unit on the lot due to the grade of the driveway.**

d) Unless specified otherwise by this Ordinance the Development shall be subject to the applicable regulations of the R-1 zoning district and all other applicable regulations of the Lowell Township Zoning Ordinance including Article 24, Zoning Board of Appeals.

e) **Building permits shall only be issued if all requirements noted herein are completed and if the requirements of Section 19.03(c) pertaining to private streets are also met.**

f) The Township Attorney shall review the Master Deed and Open Space Preservation and Maintenance Agreement prior to recording the documents with the County Register of Deeds to ensure these documents reflect the applicable requirements of this Ordinance.

SECTION 4. Findings of Approval

a) The Township Board hereby determines that the Plan, as modified by this Ordinance, complies with the provisions of the Township Zoning Ordinance as contained in Section 14.08 of the Lowell Township Zoning Ordinance, Standards for PUD Approval, and promotes its intent and purposes.

b) The Board further finds that the Development, upon construction and use in full compliance with all of the terms and provisions of this ordinance and the Township Zoning Ordinance, will be compatible with adjacent uses of lands, the natural environment and the capacities of public services and facilities affected by the Development. The Township Board further determines that the Development will be consistent with the public health, safety and general welfare.

c) 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.

<u>SECTION 5.</u> 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: Hale, Regan, Benedict, Anderson, Blough, Thompson

NAYS: Members: None

ABSENT: Member: Vanderziel

ORDINANCE DECLARED ADOPTED.

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Linda S. Regan, Township Clerk

STATE OF MICHIGAN)

) ss.

COUNTY OF KENT)

Published: February 24, 2016

In effect: March 2, 2016

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 Lowell 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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Linda S. Regan, Township Clerk