

TOWNSHIP OF ALGOMA
COUNTY OF KENT, MICHIGAN

At a regular meeting of the Township Board of the Township of Algoma, held in the Algoma Township Hall, 10531 Algoma Avenue, within the Township, on the 12th day of July, 2016, at 7:00 p.m.

PRESENT: Clary, J. Bigney, Ellenwood, W. Bigney, Lemoine, Pickerd

ABSENT: Powell

The following Ordinance was offered by W. Bigney and seconded by Pickerd:

ORDINANCE NO. 285

**AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF
THE TOWNSHIP OF ALGOMA**

**[Amendment No. 3 in Meijer Planned Unit Development Ordinance –
Spectrum Health Facilities]**

THE TOWNSHIP OF ALGOMA ORDAINS:

Section 1. **Meijer Planned Unit Development.** The Township adopted the Meijer Planned Unit Development (PUD) Ordinance, being Township Ordinance No. 211, on February 11, 2003. The Ordinance became effective February 25, 2003. The Township adopted Amendment No. 1 of the Meijer Planned Unit Development Ordinance, being Township Ordinance No. 274, on January 14, 2014, and it became effective February 1, 2014 (“Amendment No. 1”). The Township adopted Amendment No. 2 of the Meijer Planned Unit Development Ordinance, being Township Ordinance No. 282, on April 12, 2016, and it became effective May 8, 2016 (“Amendment No. 2”).

Section 2. **PUD Lands.** The lands comprising the Meijer PUD are legally described in Section 1 of Ordinance No. 211. These lands are designated as Parcel Nos. 41-06-34-400-

050, 41-06-34-400-049, 41-06-34-400-051 and 41-06-34-400-052. These are more commonly designated as 2799, 2951, 2835 and 2879 Ten Mile Road.

Section 3. **Lands Included in Amendment No. 3.** This Amendment No. 3 covers a portion of the Meijer PUD lands; other portions of the PUD are unaffected by this Ordinance and continue to be regulated by the Meijer PUD Ordinance, as previously amended, and applicable site plan approvals by the Planning Commission. This Amendment No. 3 covers that part of the Meijer PUD lands consisting of three parcels designated respectively as Outlots D, E and F and shown on the PUD plan for Amendment No. 1. As shown on the Amendment No. 1 Plan, Outlots D, E and F are located north of the north line of the Fifth Third Bank parcel and are bounded on the northeast by Meadow Creek Drive and on the northwest by the southerly line of the Meijer store parcel.

Section 4. **Amendment in Meijer PUD Ordinance.** Section 2(2)(d) of Amendment No. 1, being Township Ordinance No. 274, is hereby amended to read in its entirety as follows:

(d) Outlots D, E, and F may be used for: the retail sales uses listed as permitted uses in the C-1 Neighborhood Business District under Section 13.2 of the zoning ordinance; office buildings; restaurants that serve customers on a sit-down basis inside the restaurant, but no drive-up, drive-in or drive-through service shall be permitted, though food take-out service may be conducted as an incidental and secondary type of food service; and out-patient medical clinic uses including but not limited to physician offices, out-patient primary care, specialty medical care, urgent care, physical therapy, laboratory, radiology, and other uses ancillary to an out-patient medical clinic use. Such out-patient medical clinic uses

shall not require special land use approval or approval under Section 17.3 of the zoning ordinance.

Section 5. **Township Board Findings.** The Township Board determines that the terms and conditions imposed on the PUD, with respect to Outlots D, E, and F are reasonably necessary to ensure that public services and facilities will be capable of accommodating the land uses in Outlots D, E, and F; that the natural environment and resources of the site shall be reasonably preserved; that Outlots D, E, and F would be reasonably compatible with other land uses in the vicinity; and that the land shall be used in a socially and economically desirable manner. Further, the Board determines that the conditions imposed herein are designed to promote the public health, safety and welfare, to protect natural resources and to assure compliance with the intent and purposes of the zoning ordinance, all such conditions being in support of the valid exercise of land use authority vested in the Township under the terms of the Township Zoning Enabling Act.

Section 6. **Consolidated PUD Ordinance.** This Ordinance, together with Ordinances Nos. 211, 274, and 282, may be combined into a single consolidated ordinance for the PUD, which shall then serve as the controlling ordinance until further amendment therein. For clarity and consistency, non-substantive words and phrases of Ordinances Nos. 211, 274, 282, and this Ordinance may be revised, augmented or deleted as necessary. The numbers and letters of sections and subsections herein, and in Ordinances Nos. 211, 274, and 282, may be revised as necessary to achieve appropriate and consecutive numbering and lettering as to the provisions of the consolidated ordinance.

Section 7. **Publication and Effective Date.** This Ordinance, or a summary of its provisions, shall be published in a local newspaper of general circulation within the Township.

This Ordinance shall take effect seven days following such publication.

AYES: Lemoine, Pickerd, J. Bigney, Ellenwood, Clary, W. Bigney

NAYS: None

ABSENT: Powell

ORDINANCE DECLARED ADOPTED.



Judy A. Bigney, Township Clerk

I hereby certify that the foregoing is a true and complete copy of an Ordinance adopted by the Township Board of the Township of Algoma 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.



Judy A. Bigney, Township Clerk