

CHARTER TOWNSHIP OF FENTON

Ordinance No. 673

Adopted: September 18, 2006

An ordinance to amend ordinance No. 594 of the Township of Fenton, commonly known as the Fenton Township Zoning Ordinance, to change the zoning of certain parcels of land, 06-02-100-001, 06-02-100-002 & 06-02-100-003 owned by Rick Randall/Virik Land Development Co., LLC from R-3, Single Family Residential & C-2, General Business to PUD, Planned Unit Development and to amend the Township Zoning Map to reflect the zoning change.

THE CHARTER TOWNSHIP OF FENTON, COUNTY OF GENESEE, MICHIGAN ORDAINS:

After public hearing and publication of notice thereof as required by the statutes of the State of Michigan, Section 3.02 A of the Fenton Township Zoning Ordinance (Ordinance No. 594) is hereby amended as follows:

SECTION 3.02 A

06-02-100-001

S 682 FT OF W 3/4 OF SW 1/4 OF NW FR 1/4 SEC 2 T5N R6E

06-02-100-002

A PARCEL OF LAND BEG N 0 DEG 13 MIN W 682 FT FROM W 1/4 COR OF SEC TH N 0 DEG 13 MIN W 271.75 FT TH N 89 DEG 37 MIN E 378.76 FT TH N 0 DEG 13 MIN W 435.88 FT TH N 88 DEG 13 MIN E 614.80 FT TH S 0 DEG 15 MIN 17 SEC E 724.44 FT TH S 89 DEG 47 MIN W 993.84 FT TO PLACE OF BEG SEC 2 T5N R6E 12.45 A

06-02-100-003

A PARCEL OF LAND BEG N 0 DEG 13 MIN W 953.75 FT FROM W 1/4 COR OF SEC TH N 0 DEG 13 MIN W 425.52 FT TH N 88 DEG 13 MIN E 378.93 FT TH S 0 DEG 13 MIN E 435.88 FT TH S 89 DEG 47 MIN W 378.76 FT TO PLACE OF BEG SEC 2 T5N R6E

The Township Zoning Map is hereby amended to reflect the change in zoning from R-3 and C-2 to PUD with the following conditions:

For the area to be developed as commercial:

1. Permitted principle & accessory uses shall be restricted to the uses allowed in the C-2, General Business zoning district.
2. Buildings shall not exceed 2 stories.
3. The maximum height of buildings without a residential component shall not exceed 34 feet with the exception of architectural design features.
4. The maximum height of buildings with a residential component shall not exceed 29 feet, unless the method for fire protection is reviewed and approved by the Fire Department, in which case height may exceed 29 feet but shall not exceed 34 feet with the exception of architectural design features.
5. All mechanical equipment, including but not limited to heating, ventilating and air conditioning equipment shall be screened from view.
6. Minimum set backs shall be established at the time of site plan review & approval.
7. The layout design of the buildings, parking and streetscape shall conform to the concept plan submitted as part of this PUD.

For the area to be developed as an assisted/dependent living facility:

8. Permitted principle uses shall be restricted to an assisted & dependent living facility.
9. The maximum building height shall not exceed 29 feet, unless the method for fire protection is reviewed and approved by the Fire Department, in which case height may exceed 29 feet but shall not exceed 34 feet with the exception of architectural design features.

10. All mechanical equipment, including but not limited to heating, ventilating and air conditioning equipment shall be screened from view.
11. Minimum set backs shall be established at the time of site plan review & approval.
12. Number of beds shall not exceed 72.

For the areas developed as single family attached dwelling units:

13. Permitted principle uses shall be restricted to owner occupied Single Family Residential – Attached
14. Permitted accessory uses shall be restricted to those permitted in the R-6 zoning district.
15. The maximum building height shall not exceed 29 feet.
16. The maximum number of units shall not exceed 36 housed in no more than 8 buildings.
17. The minimum floor area for each unit shall be 850 square feet with an overall average of 1,250 square feet per unit.
18. Minimum set backs for each building shall be as follows:
 - a. front 25
 - b. set back between buildings 15
 - c. rear yard 25
19. The layout of the residential units shall conform to the concept plan submitted as part of this PUD.

For the overall project

20. The development will be designed using the standards set forth by the (USGBC) United States Green Building Council with the potential goal of (LEED) Leadership in Energy and Environmental Design certification.
21. The development will utilize the energy and environmental designs that will promote water efficiency, energy efficiency, air quality, construction waste management and resource reuse and innovative green building principles.
22. A minimum of 50% of the total commercial roof area will be green roof.
23. There shall be a sidewalk/bike path around the entire perimeter of the project.
24. Screening shall be provided along the perimeter of the project subject to the approval of the Planning Commission.
25. The developer of the PUD project shall pay to Fenton Township the total cost of any necessary upgrades to the sanitary sewer system, attributable to the developer's project as determined by the Township, its staff, consulting engineers and contractors.
26. The Planning Commission & Township Board will evaluate this request in 5 years and may initiate a rezoning of the property if the developer has not demonstrated that suitable, continual progress has been made to develop the property consistent with this ordinance.

This amendatory ordinance is hereby declared to have been enacted by the Fenton Township Board of Trustees at a regular meeting thereof held on the 18th day of September 2006 and is ordered to be given publication in the manner prescribed by law. It shall become effective seven (7) days after adoption and publication.

Bonnie K. Mathis, Supervisor

Robert E. Krug, Clerk