

City of Hastings
COUNTY OF BARRY, STATE OF MICHIGAN

ORDINANCE NO. 619

AN ORDINANCE TO AMEND CHAPTER 90 OF THE HASTINGS CODE OF 1970, AS AMENDED, BY DELETING ARTICLE VII-C ROYAL COACH PUD AND ADDING ARTICLE VII-C 420 E MILL PUD

As recommended by the Planning Commission on July 3, 2023

THE CITY OF HASTINGS ORDAINS:

SECTION I.

Chapter 90 of the Code of Ordinances, City of Hastings, Michigan, is amended to **DELETE** Article VII-C and **ADDING** Article VII-C as follows:

Article VII-C: 420 E MILL PUD

Sec. 90-730.13. - Zoning map.

The zoning ordinance of the City of Hastings is hereby amended by rezoning the following described lands from the D-1, Industrial District to the PUD, Planned Unit Development District, in accordance with the final development plan of the 420 E Mill Planned Unit Development, subject to all the terms and conditions of this division:

DESCRIPTION

ALL OF LOTS 330, 332, 333, AND 334 AND PART OF LOTS 329, 331, AND 335 AND PART OF VACATED PLATTED HANOVER STREET, AND PART OF VACATED PLATTED BOLTWOOD STREET, ALL IN THE ORIGINAL PLAT OF THE VILLAGE (NOW CITY) OF HASTINGS, BARRY COUNTY, MICHIGAN, MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE NORTH ¼ CORNER OF SECTION 17, TOWN 3 NORTH, RANGE 8 WEST: THENCE S00°15'23"W, 1121.83 FEET ALONG THE NORTH-SOUTH ¼ LINE OF SAID SECTION 17 TO THE SOUTH LINE OF PLATTED MILL STREET; THENCE ALONG SAID SOUTH LINE N89°46'48"W, 534.08 FEET TO THE TRUE POINT OF BEGINNING; THENCE S34°44'13"W, 359.13 FEET TO AN INTERMEDIATE TRAVERSE LINE OF THE NORTH BAND OF THE THORNAPPLE RIVER; THENCE ALONG SAID TRAVERSE LINE N50°51'15"W, 331.34 FEET; THENCE CONTINUING ALONG SAID TRAVERSE LINE N68°47'24"W, 82.56 FEET TO THE END OF SAID INTERMEDIATE TRAVERSE LINE; THENCE ALONG THE WEST LINE OF VACATED BOLTWOOD STREET N00°19'59"E, 58.15 FEET TO SAID SOUTH LINE OF MILL STREET; THENCE ALONG SAID SOUTH

LINE S89°46'48"E, 538.24 FEET TO THE POINT OF BEGINNING. INCLUDING LAND LYING BETWEEN SAID INTERMEDIATE TRAVERSE LINE AND THE WATERS OF THE THORNAPPLE RIVER, AS LIMITED BY THE SIDE LINES EXTENDED TO THE WATER EDGE. CONTAINING 1.95 ACRES OF LAND, MORE OR LESS, TO SAID INTERMEDIATE TRAVERSE LINE, PLUS AS UNDETERMINED AND VARIABLE AREA BETWEEN SAID TRAVERSE LINE AND THE WATERS OF THE THORNAPPLE RIVER.SPLIT/COMBINED ON 01/13/2017 FROM 55-001-001-00.

General Location: 328 E Mill St. This parcel contains approximately 2.152 acres.

and;

The zoning ordinance of the City of Hastings is hereby amended by rezoning the following described lands from Royal Coach PUD to Planned Unit Development, in accordance with the final development plan of 420 E Mill Planned Unit Development, subject to all the terms and conditions of this division:

DESCRIPTION

ALL OF LOTS 322 THRU 328, LOTS 336 THRU 348, PART OF LOTS 329 AND 335, ALL OF THE BLANK LOTS LYING WEST OF LOT 348, SOUTH OF APPLE STREET AND NORTHERLY OF THE THORNAPPLE RIVER, AND PART OF VACATED HANOVER, EAST AND APPLE STREETS, ALL IN THE ORIGINAL PLAT OF THE VILLAGE (NOW CITY) OF HASTINGS, BARRY COUNTY, MICHIGAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTH 1/4 POST OF SECTION 17, TOWN 3 NORTH, RANGE 8 WEST, HASTINGS TOWNSHIP, BARRY COUNTY, MICHIGAN; THENCE S00°15'25"W 1121.72 FEET ALONG THE NORTH-SOUTH 1/4 LINE OF SAID SECTION 17 TO THE SOUTH LINE OF PLATTED MILL STREET (SAID POINT LYING 1.39 FEET EAST OF AN IRON PIPE); THENCE S00°15'25"W, 499.60 FEET ALONG SAID 1/4 LINE TO AN INTERMEDIATE TRAVERSE LINE OF THE NORTH BANK OF THE THORNAPPLE RIVER; THENCE S70°55'22"W, 268.20 FEET ALONG SAID INTERMEDIATE TRAVERSE LINE; THENCE N72°46'49"W, 215 .56 FEET ALONG SAID INTERMEDIATE TRAVERSE LINE; THENCE N50°12'27"W, 358 .27 FEET TO THE END OF SAID INTERMEDIATE TRAVERSE LINE; THENCE N34 °44'13"E, 360 .42 FEET TO SAID SOUTH LINE OF MILL STREET; THENCE S89°46'48"E, 531.53 FEET ALONG SAID SOUTH LINE TO THE POINT OF BEGINNING. INCLUDING ALL LAND LYING BETWEEN SAID INTERMEDIATE TRAVERSE LINE AND THE WATERS OF THE THORNAPPLE RIVER AS LIMITED BY THE SOUTHERLY EXTENSION OF THE SIDELINES. CONTAINING 7.71 ACRES OF LAND, MORE OR LESS, TO SAID INTERMEDIATE TRAVERSE LINE, PLUS AN UNDETERMINED AND VARIABLE AREA BETWEEN SAID TRAVERSE LINE AND THE WATERS OF THE THORNAPPLE RIVER.

General Location: 420 E Mill St. This parcel contains approximately 8.21 acres.

Sec. 90-730.14. - Development plan.

The rezoning of the above-described lands to the planned unit development district, in accordance with the final PUD plan of the 420 E Mill Planned Unit Development ("the development") is subject to all the following terms and conditions:

The 420 E Mill Planned Unit Development shall comply in all respects with the final PUD plan of the development. The final development plan has a date of June 15, 2023, as prepared by Dixon Engineering on behalf of CopperRock Construction and includes the application for planned unit development rezoning, the PUD narrative, architectural elevation drawings of the proposed buildings and other materials submitted with the application, except to the extent that any such materials may be inconsistent with this division.

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

Sec. 90-730.15. - Permitted uses.

Only the principal and accessory uses noted below shall be allowed in the 420 E Mill PUD District:

- (a) Building "A" consisting of Eighteen (18) one-bedroom units, thirty (30) two-bedroom units, and three (3) three-bedroom units for an overall unit count of fifty-one (51).
- (b) Building "B" consisting of nine (9) one-bedroom units, forty-two (42) two-bedroom units, and three (3) three-bedroom units for an overall unit count of fifty-four (54) units.
- (c) Building "C" consisting of nine (9) one-bedroom units, nineteen (19) two-bedroom units, and two (2) three-bedroom units for an overall unit count of thirty (30) units.
- (d) Phase II shall consist of the land and parking lot area to the northeast of the proposed commercial building consisting of 10,080 square feet with a use consistent with this Article.

Sec. 90-730.16. – District Regulations.

The district regulations for the 420 E Mill PUD will be the same as A-1 (Sec. 90-394) with the following departures:

- (a) Building front setback for multi-family buildings with more than four dwelling units is a minimum of 5 feet.
- (b) The unit density is 24.5 units per acre of development area and multiple family buildings to exceed 24 units per building.

- (c) Maximum building height is 40 feet.
- (d) 30 feet building separation

Sec. 90-730.17. - Development requirements.

(1) *Street and access.*

- (a) Ingress and egress shall be by way of three (3) driveways from Mill Street to the north.
- (b) Pedestrian access will also be by the existing trestle bridge over the Thornapple River.

(2) *Utilities.* The uses shall be served by public water and sanitary sewer as approved by the director of public services for the City of Hastings.

(3) *Surface water drainage.* Stormwater management plan as approved by director of public services for the City of Hastings with review by the Department of Energy, Great Lakes, and Environment.

(4) *Open space.* Development will provide approximately 3.50 acres or 35% of open space on the site.

(5) *Preservation of natural area.* Placement of buildings, site improvements, and open space is largely respectful of wetlands, floodplain, Butler Creek, and the Thornapple River frontage.

(6) *Landscaping.* Landscaping shall be provided in compliance with Article XII and approved by administrative staff.

(7) *Lighting.* Lighting plans shall be approved by administrative staff.

(8) *Signs.* Signs for the 420 E Mill PUD shall comply with all regulations of article XI of the Hastings Zoning Ordinance as are applicable to the use.

(9) *Parking.* 254 parking spaces required and 282 parking spaces will be provided.

(10) *Uses and development regulations not specified.* For all uses and development regulations not specified in this division, the requirements of the multifamily buildings shall use the requirements of the A-1 zone.

Sec. 90-730.18. - Findings.

The city council hereby determines that the final site plan and PUD zone for 420 E Mill project complies with the provisions of the Hastings Zoning Ordinance and promotes its intent and purposes. The council also finds that granting the PUD rezoning will result in a recognizable and substantial benefit to the users of the project and to the community and that the proposed type and density of use shall not result in a material increase in

the need for public services, facilities and utilities, and shall not place a material burden upon the subject or surrounding land or property owners and occupants or the natural environment.

The council further finds that based on the design of the PUD, the proposed use is appropriate for the proposed location and is not likely to lead to a significant change in the uses master planned in the area adjacent to the 420 E Mill PUD. Also, the proposed development will not have a significant negative impact on the surrounding area and the proposed development will be under single ownership and control for completing the project in conformity with this article.

SECTION II.

If any article, section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

SECTION III.

All ordinances or part of ordinances in conflict herewith are hereby repealed.

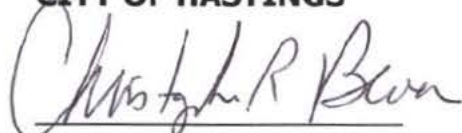
SECTION IV

This ordinance shall become effective upon its adoption and publication as provided by City Charter.

Moved by Member Cary, with support by Member Resseguie, that **Ordinance No. 619** be adopted as read.

YEAS: Barlow, Bowers, Cary, Furrow, Jarvis, Nesbitt, Resseguie and Tossava.
NAYS: None.
ABSENT: McLean.

Adoption Date: July 24, 2023
Effective Date: July 28, 2023

CITY OF HASTINGS

By: Christopher R. Bever
City Clerk

CERTIFICATE

The undersigned, being the duly qualified and acting Clerk of the City of Hastings, Michigan, does hereby certify that the foregoing is a true and complete copy of an Ordinance adopted by the Hastings City Council, of the City of Hastings, at a regular meeting of the City Council on the 24th day of July 2023, at which meeting a quorum was present and remained throughout, and that the original of said Ordinance is on file in the records of the City of Hastings. I further certify that the meeting was conducted, and public notice was given pursuant to and in compliance with Act No. 267, Public Acts of Michigan of 1976, as amended, and that minutes were kept and will be or have been made available as required thereby.



Christopher R. Bever
City Clerk