

## PUD Ordinance - Highridge #4 of 1989

CASCADE CHARTER TOWNSHIP

Ordinance #4 of 1989

AN ORDINANCE TO AMEND THE CASCADE CHARTER TOWNSHIP ZONING ORDINANCE, BEING ORDINANCE 11 OF 1988, TO ESTABLISH THE HIGHRIDGE CONDOMINIUM DEVELOPMENT PROJECT

CASCADE CHARTER TOWNSHIP ORDAINS:

SECTION 1. AN AMENDMENT TO THE CASCADE CHARTER TOWNSHIP ZONING ORDINANCE.

That the application received from John E. Slagboom or his assigns (hereinafter referred to as the "Developer") for Planned Unit Development designation for the proposed Highridge Condominium development (hereinafter referred to as the "Premises") was recommended for approval by the Cascade Charter township Planning Commission on February 6, 1989. The Premises is recommended for rezoning from its former zoning classification, R-1 – Residential, thereby requiring this amendment to the Cascade Charter Township Zoning Ordinance being Ordinance No. 11 of 1988, and Zoning Map to incorporate the Planning Commission's recommendation and the Cascade Township Board's action on February 22, 1989.

SECTION II. LEGAL DESCRIPTION.

The legal description of the Premises is as follows:

Part of the Southwest fractional one-quarter of Section 7, Town 6 North, Range 10 West, Cascade Township, Kent County, Michigan, described as: BEGINNING ON THE east-West one-quarter line (also being centerline of Burton Street – 66.00 feet wide) South 87 degrees 56'45" West 500.00 feet from the Northeast corner of the Southwest fractional one-quarter of said section; thence South 1 degree 13' 52" East 535.00 feet parallel with the North-south one-quarter line; thence North 87 degrees 56'45" East 500.00 feet parallel with the East-West one-quarter line; thence South 1 degree 13'52" East 737.42 feet along the North-south one-quarter line to the North line of the South 80 acres of the Southwest fractional one-quarter; thence south 87 degrees 59'08" West 279.99 feet along the aforementioned North line to its intersection with the Northeasterly right of way line of Highway I-96 (300.00 feet wide); thence North 47 degrees 05'16" West 1686.87 feet along said right of way line; thence North 87 degrees 56'45" East 133.54 feet along a line that is parallel with and 80.00 feet south of the East-West one-quarter line; thence North 2 degrees 40'14" West 20.00 feet parallel with the West section line; thence North 87 degrees 56'45" East 275.00 feet along a line that is parallel with and 60.00 feet South of the East-West one-quarter line; thence North 2 degrees 40'14" West 60.00 feet parallel with the West section line; thence North 87 degrees 56' 45" East 584.08 feet along the East-West one-quarter line (also centerline of Burton Street – 66.00 feet wide) to the Place of Beginning.

SUBJECT TO a 66.00 foot easement for ingress and egress, the centerline of which being described as: BEGINNING at a point on the East-West one-quarter line which is North 87 degrees 56'45" East 2017.53 feet from the West one-quarter corner of Section 7, Town 6 North, Range 10 West, Cascade Township, Kent County, Michigan; thence South 1 degree 13'52" East 208.00 feet; thence south 20 degrees 29'43" East 100.00 feet; thence south 1 degree 13'52" East 298.60 feet to the place of ending of this easement.

SUBJECT TO a right of way for highway purposes over the North 33.00 feet of the East 584.00 feet thereof (Burton Street).

SUBJECT TO an easement to Michigan Bell Telephone Company as recorded in Liber 2075, Page 430 and Liber 2476, Pages 830-832.

### SECTION III. GENERAL PROVISIONS.

The following provisions shall hereby apply to the aforementioned Premises in addition to those provisions outlined in Chapter XIV of the Cascade Charter Township Zoning Ordinance (Ordinance No. 11 of 1988).

### SECTION IV. PURPOSE AND INTENT.

The Premises occupies a 20.2 acre tract of land that may be developed in phases over a period of five years. The Premises will not contain more than 80 residential dwelling units that will be sold as individual condominiums.

The regulations contained herein are established to define the procedures necessary to insure high quality development on the Premises. Additionally, they are designed to: to achieve integration of the development with adjacent land uses and the natural environment; to permit flexibility in the regulation of land development; and to encourage the provision of useful open space.

The provisions of this Ordinance are not intended as a substitute for the Cascade Charter Township Zoning Ordinance and General Development Plan, nor do they in any way relieve the Developer from obtaining all approvals and permits required by the Township except as provided herein.

### SECTION V. PERMITTED USES.

For land and buildings, the permitted uses for the Premises are as follows:

A. Single family residential units; and

B. Accessory buildings customarily incidental to a residential condominium development (i.e. gazebos, swimming pool, pool house, lawn maintenance building, etc.).

Professional or quasi-professional offices within a residence may be permitted upon review of the Cascade Charter Township Planning Commission provided the use does not: 1) generate traffic by members of the general public, and 2) the use is purely ancillary to an office established elsewhere.

### SECTION I. DESIGN STANDARDS.

The development of all permitted uses within the Premises shall conform to the following design standards.

A. Maximum Number of Residential Units – The maximum number of residential dwellings shall be limited to 80 units.

B. Maximum Height – The maximum building or structure height erected on the Premises shall not exceed thirty-five (35) feet or two and one-half (2-1/2) stories, whichever is lessor.

C. Minimum Floor Area – The minimum gross floor area for each residential dwelling unit shall be 1,200 square feet.

D. Minimum Parking Requirements – Each residential dwelling unit shall have a minimum of two (2) enclosed off-street parking spaces per dwelling unit. Additionally, the developer shall provide at least thirty-four (34) off-street parking spaces for guest parking. The use of the guest parking areas for the storage of campers, mobile homes, trailers, snow mobiles, recreation vehicles, boats, or commercial trucks is prohibited.

E. Minimum Setback Requirements – All buildings and structures (except signs) shall meet the following minimum setback requirements.

1. Setback from Burton Street – Eighty (80) feet from the existing right-of-way line.
2. South and West Property Lines – Fifty-five (55) feet.
3. All Other Property Lines – Thirty-five (35) feet.

F. Road Requirements –

1. The occupancy of the Premises shall not commence until the developer receives a driveway permit from the Kent County Road Commission.
2. All internal roads within the Premises shall be paved with asphalt or bituminous cement. The roads shall be a minimum width of 26 feet. The construction of these internal roads shall meet Kent County Road Commission standards relating to: road grade, drainage, and road construction materials (i.e. subbase, aggregate base, road surface).

G. Stormwater Drainage – The Premises shall be designed to maintain stormwater drainage at predevelopment rates. All proposed stormwater drainage facilities shall be reviewed and approved by the Township Engineer and the Kent County Drain Commissioner prior to development of the Premises.

H. Development Entrance – The Premises shall be served by one (1) boulevard entrance onto Burton Street meeting Kent county road Commission standards. This entrance shall be designed with an acceleration and a deceleration lane to accommodate traffic speeds of at least 35 miles per hour (m.p.h.). Said improvements shall be completed to the satisfaction of the Kent County Road Commission and the township Engineer prior to occupancy of any condominium unit in the Premises.

I. Exterior Lighting – The Developer shall provide street lighting within the Premises at his expense. All street lighting shall be low sodium luminaries (lamps), which do not extend more than twenty (20) feet in height. Luminaires shall be shrouded to minimize the emission of light rays and may not exceed .5 foot candles as measured at ground level.

J. Signs – The Premises shall be permitted one (1) development identification sign not to exceed sixty-four (64) square feet in sign area. The sign shall be setback at least thirty-seven (37) feet from the Burton Street right-of-way. The sign may be illuminated using only overhead mounted luminaries which comply to the lighting standards in Section VI.(I), above.

## SECTION VII. TEMPORARY BUILDINGS.

No structure of a temporary nature; trailer, tent, or construction shack shall be constructed, placed or maintained on the Premises except accessory to and during construction of a permanent building.

#### SECTION VIII. GREENBELT AND LANDSCAPING REQUIREMENTS.

A. Minimum Greenbelt and Landscape Requirements – For the purposes of screening the Premises shall provide greenstrips and landscaping materials consistent with the requirements set forth below:

1. A minimum 20 foot wide greenstrip along Burton Street having the following minimum number of landscape materials per 100 lineal feet:

2 shade trees

4 ornamental or evergreen trees

6 shrubs

2. A minimum 30 foot wide greenstrip along Interstate 96 having the following minimum number of landscape materials per 100 lineal feet:

3 shade trees

6 ornamental or evergreen

6 shrubs

3. All other property lines shall have a minimum 20 foot wide greenstrip having the following minimum number of landscape materials per 100 lineal feet:

2 shade trees

1 ornamental or evergreen trees

Greenstrips shall be located on the outer perimeter of the Premises to the logical extent possible. Any existing plant material which satisfies the requirements of this Section may be counted toward satisfying their respective landscape requirement for the lineal feet in which they occupy. It cannot be credited towards areas that have no significant stands of trees.

B. Minimum Plant Size Requirements – For the purposes of this development all landscaping materials shall meet the following minimum size standards:

Plant Type Size

Shade Tree 2-1/2 inch caliper

Ornamental Tree ` 1-1/2 inch caliper

Evergreen Tree 6 feet

Shrubs 3 feet

All plant species listed in Section 20.11 of the Cascade Township Zoning Ordinance shall not be credited as meeting the landscape requirements contained in this Ordinance.

C. Other Landscape Requirements –

1. Landscaping shall be installed within ninety (90) days of completion of each phase, or unless permitted in writing by the Planning Director at a later date.

2. All landscaping shall be hardy plant materials and maintained thereafter in a neat and orderly manner. Withered and/or dead plant materials shall be replaced within a reasonable period of time but no longer than one growing season.

3. Where appropriate, plantings should be grouped or clustered to provide the maximum visual effect.

SECTION IX. MISCELLANEOUS DEVELOPMENT REQUIREMENTS

A. The Township Planning Department shall receive all pertinent correspondence and permits received from the Michigan Department of Natural Resources (MDNR) regarding the status or development of wetlands on the Premises prior to construction.

B. The Township Planning Department shall receive all correspondence and permits from the State of Michigan (if appropriate) and the Kent County Drain Commissioner regarding storm water disposal.

C. The Developer shall submit sufficient and reasonable financial information to the Township Attorney to determine the developer's financial capabilities to fully develop the Premises.

SECTION X. WATER AND SEWER.

All buildings within the Premises shall be served with public water and sewer at the Developer's expense. The Developer shall extend a 12 inch sewer line and a 16 inch water transmission line into the Premises in a manner consistent with acceptable engineering practices. The water system shall be a looped system with a water flow rate of 1000 gallons per minute. The connection to the public sewer and water systems shall be approved by the Township Engineer and the City of Grand Rapids prior to installation.

SECTION XI. PERFORMANCE GUARANTEE.

To insure compliance with this Ordinance and any conditions herein, Cascade Township may require reasonable performance guarantees, as authorized under the Township Rural Zoning Enabling Act to insure completion of improvements such as, but not limited to, landscaping, drainage, lighting, roads and utilities.

SECTION XII. MASTER DEVELOPMENT PLAN, PHASING.

The Premises shall conform in as much as reasonably possible to the master development plan approved by the Township Board and signed by the Township Clerk on February 22, 1989. In the event the Developer elects to develop the Premises in separate distinct phases he shall be required to submit site

plans of each phase. The Planning Commission shall review and approve these plans prior to the construction of the intended phase to insure consistency with the master development plan. This review shall be conducted at no monetary charge to the Developer, provided that no amendment or variance to this Ordinance or the Cascade Charter Township Zoning Ordinance is required.

#### SECTION XIII. EFFECTIVE DATE.

This Ordinance shall become effective upon publication in the Grand Rapids Press, a newspaper of general circulation within Cascade Charter Township. The foregoing Ordinance was offered by Board Member Ellinger, supported by Board Member Hansen. The roll call vote being as follows:

YEAS: Carpenter, Champion, Ellinger, Hansen, Henning and Parrish.

NAYS: None

ABSENT: Rowland

Brenda J. Henning

Cascade Charter Township Clerk

#### CERTIFICATION

I hereby certify the foregoing to be a true copy of an Ordinance adopted at a Regular Meeting of the Cascade Charter Township Board on the 22<sup>nd</sup> day of February, 1989.

Brenda J. Henning

Cascade Charter Township Clerk