

PUD Ordinance - Glenwood Hills Office Park #9 of 2004

CASCADE CHARTER TOWNSHIP

ORDINANCE NO. 9 of 2004

AN ORDINANCE TO AMEND THE CASCADE CHARTER TOWNSHIP ZONING ORDINANCE, ZONING MAP, AND LAND USE MAP TO ESTABLISH THE GLENWOOD HILLS OFFICE PARK #3 PLANNED UNIT DEVELOPMENT.

THE CASCADE CHARTER TOWNSHIP ORDAINS:

Section I.

An amendment to the Cascade Township Zoning Ordinance. The application received by Rockford Construction for Planned Unit Development designation for the proposed Glenwood Hills Office Park #3 Project (herein after referred to as the "Project") was recommended by the Cascade Charter Township Planning Commission for approval on April 19th, 2004.

Section II. Legal Description

Legal description of said Planned Unit Development includes:

LOT 11 * AMENDED PLAT OF LOTS 5 THRU 8 INCLUSIVE GLENWOOD HILLS OFFICE PARK NO.2
LOT 4 * GLENWOOD HILLS OFFICE PARK

16.56 acres

Section III. General Provisions

The following provisions shall hereby apply to the Project, in addition to those Provisions outlined in Chapter 16 of the Cascade Charter Township Zoning Ordinance (Ordinance No. 11 of 1988, as amended).

Section IV. Purpose

In 1995 Blue Cross- Blue Shield created a PUD out of the original Glenwood Hills Office Park PUD to develop a new office building to be connected to an existing office building by a pedestrian bridge over a wetland.

In 2004, Rockford Construction entered into an agreement with Blue Cross Blue Shield to purchase the property and wished to develop it under the regulations of the original Glenwood Hills Office Park PUD standards. With this in mind, the Project is to be developed with the same characteristics of the Glenwood Hills Office Park PUD.

The Planned Unit Development technique has been chosen by the Developer to provide more control over the Project's aesthetics and appearance. This development technique provides the Developer with the ability to develop the Project in a manner to meet market expectations and develop the project in a unified manner.

The regulations contained herein are established to define the procedures necessary to insure high quality development in the Project. Additionally, they are designed to achieve integration of this development with adjacent land uses.

Section V. Approval Limitations.

- A. The provisions of this Ordinance are not intended as a substitute for the Cascade Charter Township Zoning Ordinance and the General Development Plan, nor do they in any way relieve the Developer from obtaining all approvals and permits required by the township, except as otherwise expressly provided herein. In the event that a development issue or site plan element is not addressed by this Ordinance, the specifications and requirements of the Cascade Charter Township Zoning Ordinance shall be enforced.
- B. Except as otherwise provided herein, the Developer and his assigns must meet all applicable provisions and regulations of Cascade Charter Township, as well as federal and state law, and must obtain all necessary approvals from state and county governmental agencies that are required for operation or use.
- C. This PUD approval is expressly contingent upon all conditions of approval herein remaining fully effective and valid. If any condition imposed herein is determined to be illegal or contrary to law as a result of a successful legal challenge by the Developer or its assigns, or any other party, the Township reserves the right to review the entire Project under the PUD provisions of the Cascade Charter Township Zoning Ordinance, and further, to withdraw its approval of this PUD if it finds that, absent the effect of any condition imposed herein, the PUD no longer meets the standards for PUD approval contained in the Zoning Ordinance.
- D. All conditions contained herein shall be binding upon the Developer, as well as its successors, tenants and assigns. The conditions may be modified or amended only pursuant to a formal amendment of the PUD approval and ordinance amendment.
- E. This approval document shall be recorded with the Kent County Register of Deeds by the Developer prior to construction occurring on site and shall run with and bind the lands involved. Copies of this recorded document shall be supplied by the Developer to the Cascade Charter Township Clerk.
- F. Failure to comply with the site plan or any condition of approval herein shall be deemed a violation of the Cascade Charter Township Zoning Ordinance.

Section VI Permitted Uses:

In this P.U.D. district no building or part thereof shall be erected, altered or used or any area of land in whole or in part used for other than any one or more of the following specific uses:

- A. Executive and administrative offices, data processing centers and business offices such as real estate, insurance, and non-profit organizations.
- B. Professional offices, such as for doctors, dentists, lawyers, architects, engineers, and accountants.
- C. Medical and dental laboratories and clinics.
- D. Radio and television station, not including towers and antennas.
- E. Funeral homes, not including crematories, subject to the following restrictions:
- Sufficient off-street automobile parking and assembly area shall be provided for vehicles to be used in funeral processions. The assembly area shall be provided in addition to otherwise required off-street parking area.
 - Loading and unloading areas used by ambulances, hearse, or other such service vehicles shall be obscured from view with an opaque fence or wall not less than six feet in height.
- F. Publicly owned buildings, exchanges, and public utility offices not including storage yards, maintenance facilities, substations, regular stations, and materials handling facilities.
- G. Banks, credit unions, savings and loan institutions, including drive-in facilities.

Section VII Development Standards:

- A. There shall be a maximum number of five lots to be developed on lots 4,5,6,7, and 8 of the Glenwood Hills Office Park No. 2 Plat No more than one principal building may be erected on each parcel.
- B. Drainage and Flood Plain:

1. A 40 foot drainage and easement across the property shall be maintained in open condition or as modified and approved by the Kent County Drain Commission.
2. No structures shall be erected below the elevation of 725.0 feet. No fill shall be placed below existing contour elevation 720, except that minor encroachments may be offset by balancing cuts.

C. Ingress and Egress:

1. Driveway openings onto the public and private streets shall not be permitted at an interval of less than 200 feet. In the case of a lot where it would not be possible to maintain the 200-foot spacing if the lots are developed separately, joint access will be required.

D. The required yard and area regulations are as follows:

1. Front Yard:

- i. 50 feet.
- ii. No vehicle parking shall be permitted within the first 10 feet thereof along public R.O.W. No vehicle parking shall be provided within the first 20 feet thereof along the private R.O.W.

2. Side Yard:

- i. 25 feet.
- ii. The first 10 feet as measured from the side property line shall be permanently landscaped.

3. Rear Yard:

- i. The minimum rear yard area for lots lying adjacent to the I-96 Expressway shall be 25 feet. All of which shall include berming and suitable permanent landscape plantings.
- ii. The minimum rear yard area for lots abutting PUD 76 shall be 35 feet. All of which shall be devoted to permanent landscape area.
- iii. The minimum rear yard for all other lots shall be fifty feet. A minimum of 10 feet shall be permanently landscaped and maintained.

E. Height:

1. Height: No buildings shall exceed three stories in height.

F. Parking:

1. Section 19.13 of the Zoning Ordinance as amended shall regulate the parking standards for the entire project.

G. Landscaping: All yard areas with the exception of paved driveways, parking spaces and walkways shall be used exclusively for landscaping, including trees, shrubs, lawns, and ornamental features. All landscaping to be completed within six months after occupancy.

H. Signs: The following exterior signs shall be permitted:

- a. One wall sign on each main building, provided that the sign surface does not exceed 100 square feet.
- b. One business sign for each building, provided that the sign surface does not exceed 32 square feet and provided that it is located a minimum of 20 feet from the public or private street R.O.W.
- c. Directional signs not to exceed 4 square feet.

Section VIII Temporary Building

No structure of a temporary nature; trailer, tent or construction shack shall be constructed, placed or maintained within the Project except accessory to and during construction/ renovation of buildings or infrastructure improvements.

Section IX. Utilities

The Project shall be served with public water and public sewer at the developer's expense.

B. Stormwater Drainage - All proposed stormwater drainage facilities shall be reviewed and approved by the Township Engineer and the Kent County Drain Commissioner's office prior to the development of the Project. The Developer shall provide the Township Planning Department with copies of all correspondence and permits received from the Kent County Drain Commissioner regarding stormwater disposal.

C. The Developer shall provide all necessary easements within the Project for telephone, electricity, gas and cable television to the appropriate utility provider without cost. Said easements shall be recorded with the Kent County Register of Deeds and provided to each utility provider for their records.

Section X. Soil Erosion Control Requirements.

The Developer shall submit a soil erosion control plan showing all temporary and permanent soil erosion control measures to be taken before, during, and after construction on the Project. This plan shall be reviewed and approved by the Township Engineer prior to commencing any excavation on the site.

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 Zoning Enabling Act to insure completion of improvements such as, but not limited to, landscaping, drainage, lighting, roads, and utilities. The Township Board, Engineer, or Planning Department may require such guarantees at any time they deem necessary to insure completion of the improvements.

Section XII. Consistency With Planned Unit Development (PUD) Standards.

The rezoning to Planned Unit Development will result in a recognizable benefit to the ultimate users of the Project and to the community.

In relation to the underlying zoning (PUD) the Township finds the Project will not result in a material increase in the need for public services, facilities and utilities and will not place a material burden upon the subject property and the surrounding properties. The Project is not anticipated to cause undo impact to the stormwater drainage of the surrounding area. All stormwater and soil erosion control plans have been approved by the Township Engineer and the appropriate County and State agencies.

The Project has been determined by the Township to be compatible with the General Development Plan of the Township and with the spirit and intent of the Planned Unit Development Chapter of the Zoning Ordinance.

The Township finds the Project will not result in an unreasonable negative economic impact upon surrounding properties.

Finally, the Township recognizes the Project will be under single ownership or control. The Township recognizes that the Developer or its assigns will retain ownership and control of the project until this PUD Ordinance is recorded and all provisions that the developer and his assigns are responsible for are complied with. After that time, the property may be sold to other parties.

Section XV. Effective Date.

This Ordinance shall become effective seven (7) days after the publication of this ordinance, or a summary thereof, in The Grand Rapids Press, a newspaper of general circulation within Cascade Charter Township.

The foregoing Ordinance was offered by Board Member Kleinheksel supported by Board Member Jones. The roll call vote being as follows:

YEAS: Carpenter, Goodyke, Jones, Julien, Kleinheksel, Timmons

NAYS: None

ABSENT: Parrish
ABSTAIN:

Marlene Kleinheksel
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.

Marlene Kleinheksel Cascade Charter Township Clerk