

PUD Ordinance - Grooters #14 of 1992

CASCADE CHARTER TOWNSHIP

Ordinance 14 of 1992

AN ORDINANCE TO AMEND THE CASCADE CHARTER TOWNSHIP ZONING ORDINANCE AND ZONING MAP TO ESTABLISH THE **5251 – 5253 – 36TH STREET** PLANNED UNIT DEVELOPMENT PROJECT

Cascade Charter Township Ordains:

Section I. An Amendment to The Cascade Charter Township Zoning Ordinance

The application received from Robert Grooters Development Company or their assigns (hereinafter referred to as the "Developer"), for Planned Unit Development designation for the 5251 – 36th Street Project (hereinafter referred to as the "Project") was recommended by the Cascade Charter Township Planning Commission for approval on October 5, 1992. The Project is recommended for rezoning from I, Industrial to PUD, Planned Unit Development permitting the removal of the non-conforming status on a building which has been historically used as an office building. This recommendation requires an amendment to the Cascade Charter Township Zoning Ordinance and Zoning Map to incorporate the Planning Commission's recommendation and the Cascade Charter Township Board of Trustees action on October 14, 1992.

Section II. Legal Description

The legal description of the Project is as follows:

That part of the SE 1/4, Section 18, T6N, R10W, Cascade Township, Kent County, Michigan, described as: BEGINNING at the S 1/4 corner of Section 18; thence N 01 degrees 39'17"W 935.0 feet along the N-S ¼ line of Section 18; thence N 88 degrees 16'56"E 641.00 feet along the South line of Foremost Industrial Park No. 2; thence S 01 degrees 39'17"E 395.00 feet; thence N 88 degrees 16'56"E 24.0 feet; thence S 01 degrees 39'17"E 540.0 feet; thence S 88 degrees 16'56"W 665.0 feet along the South line of Section 18 to the place of beginning. Subject to highway R.O.W. over the Southerly 50 feet thereof. This parcel contains 14.056 Acres, including highway R.O.W.

Section III. General Provisions

The following provisions shall hereby apply to the Project, in addition to those Provisions outlined in Chapter 14 of the Cascade Charter Township Zoning Ordinance (Ordinance No. 11 of 1988, as amended) and the Cascade Charter Township Subdivision Ordinance (Ordinance No. 1 of 1978, as amended).

Section IV. Purpose

The Project occupies approximately 14.056 acres of land that is currently being used for offices and data processing. The proposed use for the Project is to continue those uses and some limited accessory uses commonly allowed in the "O", Office zoning district.

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 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.

Section V. Permitted Uses

The permitted uses for the 5251 – 5253 – 36th Street Project are as follows:

A. Executive and administrative offices, data processing centers and business offices such as real estate, insurance, and non-profit organizations.

B. Medical and dental laboratories.

C. The following personal service establishments when located within an office building:

1. Cafeterias or food services operated during normal business hours and primarily catering to on premises employees; and

2. Other personal service establishments including child care and day care and day nurseries which are compatible with, subservient to and which cater to, on premises or neighboring businesses and employees.

And provided that such personal service establishments are:

a. Limited to basement and ground floors of the building;

b. The total gross floor area collectively occupied by personal service establishments shall not exceed ten (10) percent of the gross floor area of the building's ground floor; and

c. The gross floor area occupied by any single personal service establishment shall not exceed ten (10) percent of the gross floor area of the building's ground floor.

D. Accessory structures and uses customarily incidental to the uses permitted in this Section, subject to the provisions of section 4.08 of the Zoning Ordinance.

Section VI. Design Guidelines, Requirements and Limitations

The development of all permitted uses within the Project shall conform to the site plan and/or Mortgage survey dated May 3, 1991 and approved by the Township Board on October 14, 1992. No alternations, expansions or additions may take place to the Premises without an amendment to this Ordinance.

A. Signs

All new signs (type, size, etc.) for the Project shall comply with the Cascade Charter Township Sign Ordinance, as amended.

B. Utility Easements

In the event that additional utility easements are needed to serve the Project, the Developer shall provide all necessary easements to the appropriate utility provider without cost. In the event the Township requires additional sewer and water service

easements in the future, the Developer shall provide them at all reasonable locations. Said easements shall be recorded with the Kent county Register of Deeds and provided to each utility provider for their records.

Section VII. 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. The Township Board, Engineer, or Planning Director may require such guarantees at any time they deem necessary to insure completion of the improvements.

Section VIII. 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 Henning, supported by Board Member Parrish. The roll call vote being as follows:

YEAS: Boonenberg, Carpenter, Henning, Julien and Parrish

NAYS: Hansen

ABSTAIN: None

ABSENT: Champion

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 14th day of October, 1992.

Brenda J. Henning

Cascade Charter Township Clerk