

PUD Ordinance - Home Design Center #6 of 1988

ORDINANCE #6 OF 1988

AN ORDINANCE TO AMEND THE CASCADE CHARTER TOWNSHIP ZONING ORDINANCE AND ZONING MAP TO ESTABLISH THE HOME DESIGN CENTER PLANNED UNIT DEVELOPMENT PROJECT

CASCADE CHARTER TOWNSHIP ORDAINS:

SECTION 1. AN AMENDMENT TO THE CASCADE CHARTER TOWNSHIP ZONING ORDINANCE. That the application received from Properties Corporation of America or its assigns (hereinafter referred to as the "Developer") for Planned Unit Development designation for their proposed Home Design Center (hereinafter referred to as the "Premises") was recommended by the Cascade Township Planning Commission for approval on August 15, 1988. The Premises is recommended for rezoning from its former zoning classification thereby requiring this amendment to the Cascade Charter Township Zoning Ordinance and Zoning Map to incorporate the Planning Commission's recommendation and the Cascade Township Board action on August 24, 1988.

SECTION II. LEGAL DESCRIPTION.

The legal description of the Premises is as follows:

That part of the SE 1/4, Section 7, T6N, R10W, Cascade Township, Kent County, Michigan, described as: Commencing at the SE corner of Section 7; thence S 88 degrees 05' 02" W 1054.98 feet along the South line of Section 7; thence N 1 degree 39' 55" W 262.76 feet to the Northeasterly line of Highway I-96; thence N 47 degrees 5' 25" W 859.39 feet along said Northeasterly line; thence N 85 degrees 06' 45" W 200.04 feet along said Northeasterly line to the PLACE OF BEGINNING of this description; thence N 85 degrees 06' 45" W 529.35 feet along said Northeasterly line; thence N 1 degree 13' 45" W 107.65 feet; thence N 12 degrees 52' 20" E 615.67 feet; thence N 1 degree 13' 45" W 36.08 feet along the East line of the West 410 feet of the SE 1/4 of Section 7; thence N 88 degrees 05' 02" E 434.34 feet along the North line of the South 1695 feet of the SE 1/4 of Section 7; thence S 1 degree 25' 52" E 271.66 feet; thence S 88 degrees 20' 05" W 60.81 feet; thence S 1 degree 25' 52" E 531.24 feet to the place of beginning. This parcel contains 8.520 Acres.

That part of the SE 1/4, Section 7, T6N, R10W, Cascade Township, Kent County, Michigan, described as: Commencing at the SE corner of Section 7; thence S 88 degrees 05' 02" W 1054.98 feet along the South line of Section 7; thence N 1 degree 39' 55" W 262.76 feet to the Northeasterly line of Highway I-96; thence N 47 degrees 05' 25" W 382.36 feet along said Northeasterly line; thence N 1 degree 25' 52" E 888.91 feet along the West line of the East 1/2 of the SE 1/4 of Section 7 to the PLACE OF BEGINNING of this description; thence S 88 degrees 20' 05" W 479.19 feet; thence N 1 degree 25' 52" W 271.66 feet; thence N 88 degrees 05' 02" E 479.21 feet along the North line of the South 1695 feet of the SE 1/4 of Section 7; thence S 1 degree 25' 52" E 273.76 feet along the West line of the NE 1/4 of the SE 1/4 of Section 7 to the place of beginning. This parcel contains 3.000 Acres.

That part of the SE 1/4, Section 7, T6N, R10W, Cascade Township, Kent County, Michigan, described as: Commencing at the SE corner of Section 7, thence S 88 degrees 05' 02" W 1054.98 feet along the South line of Section 7; thence N 1 degree 39' 55" W 262.76 feet to the Northeasterly line of Highway I-96 and the PLACE OF BEGINNING of this description; thence N 47 degrees 05' 25" W 71.24 feet along said Northeasterly line; thence N 88 degrees 20' 05" E 50.75 feet; thence S 1 degree 39' 55" E 50.0 feet to the place of beginning.

That part of the SE ¼, Section 7, T6N, R10W, Cascade Township, Kent County, Michigan, described as: Commencing at the SE corner of Section 7; p thence S 88 degrees 05' 02" W 1054.98 feet along the South line of Section 7; thence N 1 degree 39' 55" W 312.76 feet to the PLACE OF BEGINNING of this description; thence S 88 degrees 20' 05" W 20.0 feet; thence N 1 degree 39' 55" W 74.58 feet; thence N 88 degrees 20' 05" E 20.0 feet; thence S 1 degree 39' 55" E 74.58 feet to the place of beginning.

SECTION III. GENERAL PROVISIONS.

The following provisions shall hereby apply to the aforementioned Premises in addition to those provisions outlined in Section 13.11 of the Cascade4 Charter Township Zoning Ordinance (Ordinance No. 2 of the 1978), as amended through August 28, 1984.

SECTION IV. PERMITTED USES.

The permitted uses for the Home Design Center PUD are as follows:

1. Drapes and Wall Covering stores;
2. Hardware and Paint stores;
3. Floor Covering stores;
4. Household appliance stores;
5. Interior-Home decorator and design professional offices;
6. Art merchandising studios;
7. Furniture stores;
8. One limited service coffee shop designed solely to serve the Premises; and
9. Other uses similar to the above.

SECTION V. DESIGN STANDARDS.

For the purposes of this PUD only one (1) multi-tenant building containing not more than 90,000 square feet shall be permitted. The following Design Standards shall apply within the Home Design Center PUD.

A. Area regulations –

1. The building shall be setback from the street right-of-way a minimum of twenty (20) feet. The setback shall be seeded and maintained as open space.
2. Side setbacks shall in no case be less than twenty-five (25) feet. The rear setback shall in no case be less than one hundred (100) feet. Parking shall be permitted in the side and rear setbacks.

B. Height Regulations – The building shall not exceed the height of forty (40) feet, as measured in accordance with the Cascade Charter Township Zoning Ordinance.

C. Off Street Parking and Loading Areas –

1. All employee and visitor parking shall be provided on-site and not on any streets. Such parking areas may be located in the side or rear yards and shall be surfaced prior to occupancy with bituminous concrete or asphalt. Driveways shall be constructed with materials equal to or better than the requirements established by the Kent County Road Commission.
2. Driveways, parking and loading areas shall have curb and gutter. The curb and gutter installation shall be consistent with the requirements established by the Kent County Road Commission.
3. All off-street parking areas shall be drained so as to prevent drainage onto abutting properties unless there is a common drainage system shared by all the abutting properties.
4. Any lighting fixtures used to illuminate off-street parking shall be so arranged as to reflect the light away from adjacent properties, streets or highways.

D. Parking Requirements –

1. Off-street parking for the Premises shall accommodate 326 vehicles. At least 245 parking spaces shall be paved in accordance with Section V.C. 1 above. All unpaved portions shall be landscaped until such time that it is needed for parking.
2. Each off-street parking space for automobiles shall be a minimum of 180 square feet in area, with a minimum width of nine (9) feet, exclusive of access drives or aisles. There shall be provided a minimum access drive of twenty (20) feet in width, and where a turning radius is necessary, it shall be of such an arc as to reasonably allow an unobstructed flow of vehicles. Parking aisles shall be of sufficient width to allow a minimum turning movement into and out of parking spaces. All parking shall be 90 degree parking with a minimum aisle width of 24 feet.

E. Signs –

1. No signs shall be placed on the Premises except those specifically permitted below:
 - a. Two (2) wall signs not to exceed fifty (50) square feet each (placed on south side).
 - b. One (1) off-site shared pole sign (30 feet in height) not to exceed a total of 125 square feet. The shared pole sign may have sides which are constructed in a triangle having 60 degree angles using only two sides for the design message. This sign pylon may be set adjacent to the right-of-way line and may not exceed the height of thirty (30) feet.

c. Two (2) shared off-site ground directional signs not to exceed thirty-two (32) square feet each.

d. One (1) directory sign not to exceed sixty (60) square feet. This sign may have sides which are constructed in a triangle having 60 degree angles, using only two sides for the sign message and may be setback twenty (20) feet from the right-of-way.

e. Two (2) tower development identification signs not to exceed 62.5 square feet each and a height of forty (40) feet.

f. One (1) 32 square foot canopy entrance sign.

g. Traffic safety signs may be installed as needed upon approval of the Planning Director.

2. No billboards, temporary or portable signs, balloon signs, banners, search lights, loudspeakers, amplifiers or similar devices will be permitted in this PUD District. Temporary or portable signs and banner signs may be used for special events or occasions (i.e. grand openings) upon review of the Planning Director.

3. One on-site temporary sign for the purpose of describing the building development, or advertising the sale or lease of a site or building shall be permitted prior to occupancy. The color, character, and wording of the sign shall be prescribed by the Developer. Such signs shall not exceed thirty-two (32) square feet.

4. Signs may be illuminated. However, no intermittent or flashing illumination shall be permitted. The tower development identification signs shall not be internally illuminated.

All signs, unless otherwise provided shall be setback twenty-five (25) feet from the right-of-way or property line.

F. 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 the building.

G. Landscaping –

1. The Premises shall be landscaped in accordance with plan and specifications approved by the Planning Commission. The entire building site, including curb parkways, shall be appropriately landscaped with grass, canopy and coniferous trees, shrubs, and ground cover. Expansion areas shall be placed in grass and kept weed free. Any areas which become disturbed for any reason shall be restored in accordance with the original landscape plan unless approved otherwise in writing by the Planning Director.

2. Landscaping shall be installed within ninety (90) days of completion of the building or structure, unless permitted in writing by the Planning Director at a later date.
 3. 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. All new trees used in a landscaped area shall have a minimum diameter of 2-1/2 inches or a height of ten (10) feet, whichever is most appropriated to the specie.
 4. Every effort shall be made to retain existing trees. Trees with a diameter of five (5) inches or more shall not be removed without written approval of the Planning Director.
 5. Underground sprinkling systems shall be installed where necessary (except the parking area held in reserve) to service landscaped areas and such areas shall be neatly maintained, including mowing, fertilizing and pruning.
 6. Parking and loading areas shall be landscaped and/or fenced, as shown on the approved landscape plan, in such a manner as to interrupt or screen said areas from view from access streets.
- H. Outside Storage/Display Areas – Outside storage/display areas must be specifically approved by the Planning Director and shall be effectively screened from view as well as kept in a neat and orderly manner. Patio furniture may be displayed on the building patio during the summer season.

SECTION VI. IMPROVEMENTS; PERFORMANCE GUARANTEE.

To insure compliance with this Ordinance and any conditions herein, Cascade Township shall require the Developer to submit a surety bond or irrevocable letter of credit to be determined by the Township Board within 60 days of the effective date of this Ordinance. This surety bond or letter of credit shall be used by the Township to recover expenditures associated with planning and development activities of the Premises, including, but not limited to, the engineering, legal, and infrastructure costs which may become the liability of the Township.

The Township shall not draw upon the surety bond or letter of credit unless Properties Corporation of America fails to promptly reimburse the Township for such billed expenses, within sixty (60) days, following the billing date.

SECTION II. MASTER SITE DEVELOPMENT PLAN.

The Premises shall conform in as much as reasonably possible with the master site development plan approved by the Township Board and signed by the Township Supervisor on August 24, 1988.

SECTION III. EFFECTIVE DATE.

This Ordinance shall become effective upon publication in The Grand Rapids Press, a newspaper of general circulation within the Township of Cascade.

The foregoing Ordinance was offered by Board Member Burlingham, supported by Board Member Carpenter. The roll call vote being as follows:

Yeas: Burlingham, Carpenter, Champion, Hansen and Henning.

Nays: None

Absent: Ellinger and 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 24th day of August, 1988.

Brenda J. Henning

Cascade Charter Township Clerk