

PUD Ordinance - Riverwood #10 of 1998

CASCADE CHARTER TOWNSHIP

Ordinance #10 of 1988

AN ORDINANCE TO AMEND THE CASCADE CHARTER TOWNSHIP ZONING ORDINANCE AND ZONING MAP TO ESTABLISH THE RIVERWOOD SITE CONDOMINIUM PLANNED UNIT DEVELOPMENT PROJECT

CASCADE CHARTER TOWNSHIP ORDAINS

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

That the applications received from Norvin Noteboom of LaBourg Limited Partnership or its assigns (hereinafter referred to as The "Developer") for Planned Unit Development designation for their proposed Riverwood Site Condominium Project (hereinafter referred to as the "Premises") was recommended by the Cascade Township Planning Commission for approval on November 21, 1988. The Premises is recommended for rezoning from R-1A, Residential to PUD, Planned Unit Development, 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 November 28, 1988.

SECTION II. LEGAL DESCRIPTION.

The Legal description of the Premises is as follows:

That part of the NE ¼, Section 9, T6N, R10W, Cascade Township, Kent County, Michigan, described as: BEGINNING at a point on the North line of Section 9, which is N 89 degrees 34'28"W 840.0 feet from the NE corner of Section 9; thence S 00 degrees 00'W 263.53 feet parallel with the East line of said Section; thence S 89 degrees 34'28"E 840.0 feet; thence S 00 degrees 00'W 66.0 feet along the East line of Section 9; thence N 89 degrees 34'28" W 390.00 feet along the South line of the North 10 Acres of the E ½ of said NE ¼; thence S 00 degrees 00'W 380.47 feet; thence S 14 degrees 30'40" W 208.53 feet; thence N 75 degrees 40'W 907.24 feet; thence N 00 degrees 01'26"W 694.19 feet along the West line of the E ½ of said NE ¼; thence S 89 degrees 34'28" 481.57 feet along the North line of Section 9 to the place of beginning. This parcel contains 15.052 Acres.

SECTION III. GENERAL PROVISIONS.

The following provisions shall hereby apply to the aforementioned Premises in addition to those Provisions outlined in Section 13.11 and 13.13 of the Cascade Charter Township Zoning Ordinance (Ordinance No., 2 of 1978), as amended through October 26, 1988.

SECTION IV. PURPOSE.

The Premises occupies approximately 15.052 acres of land that is proposed to be developed into a site condominium project containing six (6) building sites. The site condominium technique has been chosen by the Developer and the eventual owners of each condominium unit to provide more control over the development aesthetics and appearance. The technique also provides the Developer with the ability to develop the Premises in a manner to meet market expectations where more traditional mechanisms such as creating land subdivisions fail.

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

SECTION V. PERMITTED USES.

The permitted uses for the Riverwood Site Condominium Project are as follows:

- A. Single family residences; and
- B. Accessory buildings customarily incidental to single family residences.

Professional or quasi-professional offices within a residence may be permitted by review of the Planning Commission pursuant to Sections 14.3 through 14.8 of the Zoning Ordinance 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 VI. DESIGN GUIDELINES AND REQUIREMENTS.

The development of all permitted uses within the premises shall conform to the R-1A, Residential height, setback and dimensional requirements set forth in Chapter 7 of the Zoning Ordinance. Specific controls relating to architectural elements, construction materials, size and space requirements, improvements and outbuildings, specific prohibitions and rules of conduct shall be governed by the Premises "Use and Occupancy Restrictions" and shall become a part of this Ordinance. (for the purpose of this Ordinance said restrictions are attached and Labeled "Attachment A – Use and Occupancy Restrictions").

With respect to the common elements of the proposed development, all maintenance, repair and replacement thereof shall be in accordance with the Premises description of common elements. This description shall become a part of this Ordinance with the document labeled and attached in the following manner:

"Attachment B – Description of Common Elements".

SECTION VII. SITE CONDOMINIUM PLANS

The Premises shall be developed in accordance to the site plan approved by the Township Board and signed by the Township Supervisor. The site plan shall indicate where each condominium unit will be located and provide appropriate measurements demonstrating compliance with Section 13.13 B of the Zoning Ordinance. Engineering plans and/or documents relating to utilities, topography, and the survey of the Premises shall be reviewed and approved by the Township Engineer. Approval of these documents shall be based upon their meeting the requirements of Section 13.13D of the Zoning Ordinance and meeting recognized, acceptable engineering standards and practices. Once it has been determined that the plans have met Township requirements, the Township Engineer shall sign and mark these plan documents "Approved" and forward them to the Developer. Only approved plan documents shall be recorded with the appropriate county or state agencies.

SECTION VIII. UTILITIES.

A. The Developer shall provide all necessary easements within the Premises for telephone, electricity, gas and cable television to the appropriate utility provider without cost. The Developer shall also provide to the Township an easement for future sewer and water service to serve the Premises. Said easements shall be recorded with the Kent County Register of Deeds and provided to each utility provider for their records.

B. The Developer shall be required to enter into a special assessment agreement for the construction of sewer and water lines which serve the Premises. This agreement in as much as it deals with the establishment of a Special Assessment district under Act 188 of 1954, as amended, is not a waiver by any Developer or his assigns, of any right to contest the confirmation of any special assessment roll as provided in the Act.

SECTION IX. PRIVATE STREETS – PATHWAY.

A. The Developer shall submit a street construction, maintenance and pavement plan consistent with Section 13.13D.6 of the Zoning Ordinance. The Developer may establish a private road to serve the Premises provided the road is built to the following minimum standards:

1. The road(s) shall be paved with asphalt or concrete;
2. The road(s) shall have a minimum width of eighteen (18) feet as measured from edge to edge. The road(s) shall also have turn-outs at locations approved by the Fire Marshall.
3. The road curb cut shall meet the commercial driveway standards established by the Kent County Road Commission. A commercial driveway permit shall also be required. Said curb cut shall be of a sufficient curb radii (30 foot minimum) to provide safe turning movements for resident vehicles and for emergency vehicles.
4. All road grades shall meet with the approval of the Township Engineer. Said grades shall be sufficient to allow for safe ingress/egress of emergency vehicles.
5. All cul-de-sacs within the Premises shall have a minimum radii of 40 feet.
6. All private road(s) shall be sufficiently drained to prevent stormwater runoff from causing soil erosion or trespass onto adjoining property.
7. All private roads serving the Premises shall be posted with street sign(s) stating the street(s) name(s). Where appropriate, the township shall require stop signs or other traffic safety signs. These sign(s) shall be consistent with Kent County Road Commission standards and requirements and shall be installed at Developer cost.
8. The private road(s) shall intersect with public roads only at 90 degree angles. A clear vision triangle shall be established by the developer with approval by the Township Engineer to insure safe turning movements to and from the Premises. This "clear vision triangle" shall be developed to the specifications established by the Township Engineer upon an on-site investigation.
9. All private roads connecting to a public road shall have acceleration and deceleration tapers meeting Kent County Road Commission standards.
10. The cul-de-sac and easement at the end of Hawthorne Ridge shall not be used for ingress/egress for the Premises.
11. The service drive from Hawthorne Ridge, serving condominium unit number 6, shall be removed and the slope restored and landscaped to at least a 1 on 3 slope and landscaped within nine (9) months. A landscaping plan shall be submitted to the Planning Director for approval.

B. The Developer shall provide the Township with a ten (10) foot wide easement for the future construction of a sidewalk/bike path along the frontage of Thornapple River Drive.

SECTION X. 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 Parrish. The roll call vote being as follows:

Yeas: Carpenter, Champion, Ellinger, Henning and Parrish.

Nays: None

Absent: Hansen 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 28th day of November, 1988.

Brenda J. Henning

Cascade Charter Township Clerk

CASCADE CHARTER TOWNSHIP

Ordinance #1 of 1991

AN ORDINANCE TO AMEND ORDINANCE #10 OF 1988 WHICH REGULATES THE DEVELOPMENT OF THE RIVERWOOD SITE CONDOMINIUM PLANNED UNIT DEVELOPMENT PROJECT.

CASCADE CHARTER TOWNSHIP ORDAINS THE FOLLOWING AMENDMENT TO ORDINANCE #10 OF 1988.

AMENDMENT

SECTION VII. SITE CONDOMINIUM PLANS (Original Text)

The Premises shall be developed in accordance to the site plan approved by the Township Board and signed by the Township Supervisor. The site plan shall indicate where each condominium unit will be located and provide appropriate measurements demonstrating compliance with Section 13.13 B of the Zoning Ordinance. Engineering plans and/or documents relating to utilities, topography, and the survey of the Premises shall be reviewed and approved by the Township Engineer. Approval of these documents shall be based upon their meeting the requirements of Section 13.13 D of the Zoning Ordinance and meeting recognized, acceptable engineering standards and practices. Once it has been determined that the plans have met Township requirements, the Township Engineer shall sign and mark these plan

documents "Approved" and forward them to the Developer. Only approved plan documents shall be recorded with the appropriate county or state agencies.

SECTION VII. SITE CONDOMINIUM PLANS (Amended Text is underlined).

The Premises shall be developed in accordance to the site plan approved by the Township Board on February 6, 1991, and signed by the Township Supervisor. The site plan shall indicate where each condominium unit will be located and provide appropriate measurements demonstrating compliance with Section 13.13 B of the Zoning Ordinance. Engineering plans and/or documents relating to utilities, topography, and the survey of the Premises shall be reviewed and approved by the Township Engineer. Approval of these documents shall be based upon their meeting the requirements of Section 13.13.D of the Zoning Ordinance and meeting recognized, acceptable engineering standards and practices. Once it has been determined that the plans have met Township requirements, the Township Engineer shall sign and mark these plan documents "Approved" and forward them to the Developer. Only approved plan documents shall be recorded with the appropriate county or state agencies.

EFFECTIVE DATE

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

THE FOREGOING ORDINANCE WAS OFFERED BY BOARD MEMBER HANSEN, SUPPORTED BY BOARD MEMBER HENNING. THE ROLL CALL VOTE BEING AS FOLLOWS:

Yeas: Boonenberg, Carpenter, Champion, Hansen, Henning and Parrish.

Nays: None

Absent: Julien

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 6th day of February, 1991.

Brenda J. Henning

Cascade Charter Township Clerk