

PUD Ordinance - Thornapple Club #14 of 1987

CASCADE CHARTER TOWNSHIP

Ordinance #14 of 1987

AN ORDINANCE TO AMEND THE CASCADE CHARTER TOWNSHIP ZONING ORDINANCE, ZONING MAP AND LAND USE MAP TO ESTABLISH THE THORNAPPLE CLUB PUD PROJECT

THE CASCADE CHARTER TOWNSHIP ORDAINS:

Section 1.

That the application of Robert and Helen Logee and William Zipf for the Planned Unit Development as recommended by the Cascade Township Planning Commission on July 15, 1985 be and the same is hereby approved and Zoning Map and Township Zoning Ordinance are hereby amended so as to incorporate said Planning Commission recommendation.

Section 2.

Legal description of said Planned Unit Development includes:

Part of Section 2, Town 6 North, Range 10 West, Cascade Township, Kent County, Michigan, described as: commencing at the South one-quarter corner of said Section 2; thence West 445.50 feet along the South section line; thence North 30 degrees 00'00" East to the South right-of-way of the Grand Trunk Western Railroad property; thence North 17 degrees 00'00" East to the North line of said railroad right-of-way and TRUE PLACE OF BEGINNING of this described property; thence Northwesterly along said Northerly railroad right-of-way line to its intersection with the North line of said Cascade Township; thence Easterly along said Township line to the water's edge at the left bank of Grand River; thence Southeasterly along said water's edge to a line bearing North 17 degrees 00'00" East from the true place of beginning; thence South 17 degrees 00'00" West to the true place of beginning.

Section 3. General Provisions:

The following provisions shall hereby apply to the above described Planned Unit Development in addition to those provisions outlined in Section 13.11 of the Cascade Charter Township Zoning Ordinance No. 2 as amended through August 28, 1984.

Section 3.1 Permitted Uses:

In this P.U.D. district, no building or part hereof 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. Single family condominium dwellings
- b. Duplex condominium dwelling
- c. Golf course and associated landscape features including ponding and drainageways.
- d. Grounds maintenance structure (1).

Section 3.2 Emergency Access:

Secondary emergency access shall be provided as graphically illustrated on the Master Development Plan.

Section 3.3 Development Standards:

- a. No dwelling units or structures shall be erected below the "floodway line" established by the M.D.N.R. and shown on the approved site plans dated June 21, 1985.
- b. The first floor elevations of the basement windowsill elevations of all buildings shall be a minimum of one foot above the 100 year flood plain elevation as determined by the M.D.N.R. and the U.S. Army Corp of Engineers.
- c. The gross density of residential units shall not exceed one dwelling unit per acre.
- d. The density of residential units within the area lying above the designated "flood way line" shall not exceed a net density of 3 dwellings per acre. In any case the total number of dwelling units shall not exceed 100.
- e. All residential units shall be built within condominium sites as represented and graphically illustrated on the P.U.D. site plans as approved or amended..
- f. The minimum distance between all buildings shall be 15 feet, and there shall be a minimum building setback of 40 feet measured from the roadway curb.
- g. The minimum distance between all dwelling units and the property lines of the development shall be 25 feet.
- h. Minimum floor area: The minimum square footage for all dwelling units shall be 1,500 square feet.
- i. Parking: In accordance with Section 15.2 of the Zoning Ordinance each dwelling unit shall be provided a minimum of two and one-half (2-1/2) off-street parking spaces.
- j. Landscaping: Landscaping shall be provided to allow for a maximum degree of screening and privacy between dwelling units and adjacent properties. Landscaping and buffering, including wall treatment, berms, natural and planted vegetation shall be required to ensure adequate separation between residences and the Grand Trunk Railroad. In areas where the effective distance from the railroad tracks to dwellings is less than 100 feet, a berm of at least 5 feet in height above the elevation of the railroad tracks and finished floor elevations of the affected dwelling units shall be installed. This shall be done in accordance with the approved landscape component of the Master Development Plan and subsequent approved phase plans.

Section 4. Phasing: The development shall be done in phases as outlined on the approved Master Development Plan. Phase One shall include the development of a golf course and a grounds maintenance facility. Each phase thereafter shall be devoted entirely to residential development and shall include the installation of adequate public water and sewer services and private roadways and lighting necessary to serve that phase of the development. Private roadways shall be built to Kent County Road Commission specifications. Sewer and water utilities shall be built to the specifications of the Township Engineer. Commensurate with the construction of Phase III, an emergency access road shall be constructed to join the northwesterly and southeasterly extremities of the development. This roadway shall be constructed initially to Cascade Fire Department standards and ultimately to Kent County Road Commission standards upon the initiation of Phase V construction.

Section 5. Final Approval of Phases:

The developer shall be required to submit phase plans prior to the commencement of construction of each phase of the development. Said plans are to be reviewed and approved by the Planning Commission to ensure conformance with the intent of the above general provisions and Master Development Plan and to consider minor modifications, if any, to the approved Master Development Plan. Each plan of each phase shall include the following:

- a. Proposed grades and pertinent physical features such as trees to be incorporated.
- b. Final layout and arrangement of building sites.
- c. Final street and utility plans.
- d. Final drainage plans.
- e. Detailed landscape plans for common green areas between units. Special emphasis shall be given to providing adequate screening and buffering between the rear yards of units which re back to back and also between the railroad property and those units that will be directly adjacent to the railroad property.

Section 5.1 Master Development Plan Amendment: For the purpose of incorporating significant natural features such as trees and drainageways into the development and to allow flexibility in surmounting unforeseen obstacles such as poor soils, minor variations from the approved Master Development Plan within each phase may be allowed. Such variation may be allowed without overall P.U.D. zoning amendment provided that the development shall not exceed the limitations outlined in the above general provisions and further provided that the developer can show that any proposed change such as the ratio of single dwelling units to duplex dwelling units, the relationship and arrangement of units and the location of streets and underground utilities from the Master Development Plan is designed to incorporate significant natural features into the development and further protect natural resources and the health, safety and welfare of users of the development and surrounding residents. Any proposed amendment to any individual phase plan, which would automatically cause a rearrangement of dwellings, sites and roadways within one or more subsequent phases shall require P.U.D. zoning amendment. Upon the approval of the Final Phase Plan, the Phase Plan shall control.

Section 6. Subject to the approved Master Development Plan, Case 85-0324 (formerly Case 350) dated September 28, 1987.

Section 7. This Agreement is permanent in nature, shall run with the land and shall be binding upon the developer and all subsequent owners of the land and may not be terminated or set aside without prior written consent of the Township.

Witnessed by: Signed By:

Jay W. Cravens William Zipf

L.L. Z. Partnership

Its: General Partner

Wendell G. Champion

Cascade Charter Township

Supervisor

Section 8. Effective Date: This Ordinance shall become effective upon publication in a newspaper circulated within the Township of Cascade.

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

YEAS: Burlingham, Carpenter, Champion, Ellinger & Hansen

NAYS: Rowland

ABSENT: Henning

Brenda J. Henning, Clerk

Cascade Charter Township

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 12th day of October, 1987.

Brenda J. Henning, Clerk

Cascade Charter Township