

PUD Ordinance - Meadowood Trails # 5 of 1989

CASCADE CHARTER TOWNSHIP

Ordinance 5 of 1989

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

CASCADE CHARTER TOWNSHIP ORDAINS:

SECTION 1. AN AMENDMENT TO THE CASCADE CHARTER TOWNSHIP ZONING ORDINANCE.

That the applications received from Foremost Corporation or its assigns (hereinafter referred to as The "Developer") for Planned Unit Development designation for their proposed Meadowood Trails Site Condominium Project (hereinafter referred to as the "Premises") was recommended by the Cascade Township Planning Commission for approval on February 21, 1989. The Premises is recommended for rezoning from PUD, Planned Unit Development to a revised PUD, Planned Unit Development permitting site condominiums, 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 March 13, 1989.

SECTION II. LEGAL DESCRIPTION

The legal description of the Premises is as follows:

That part of the SE ¼, Section 17, T6N, R10W, Cascade township, Kent County, Michigan, described as: Commencing at the SE corner of Section 17; thence N 1 degree 42'30"W 1811.11 feet along the East line of said SE ¼; thence S 89 degrees 29'14"W 1342.09 feet along the North line of the S ¾, N ½, of said SE ¼ to the PLACE OF BEGINNING of this description; thence Southwesterly 104.67 feet on a 268.00 foot radius curve to the right, the chord of which bears S 38 degrees 48'39"W 104.01 feet; thence S 50 degrees 00'W 94.89 feet; thence S 05 degrees 25'50"E 621.87 feet; thence N 78 degrees 30'E 174.61 feet; thence Northeasterly 46.97 feet on a 117.00 foot radius curve to the left, the chord of which bears N 67 degrees 00'E 46.65 feet; thence N 55 degrees 30'E 77.47 feet; thence Northeasterly 99.50 feet on a 158.0 foot radius curve to the right, the chord of which bears N 73 degrees 32'30" E 97.87 feet; thence S 88 degrees 25'E 469.06 feet; thence S 01 degree 42'30" E 397.0 feet; thence S 89 degrees 26'10"W 65.0 feet thence N 62 degrees 53'54"W 380.85 feet; thence N 80 degrees 43'42"W 95.00 feet; thence S 64 degrees 46'25" W 140.0 feet; thence N 58 degrees 25' 16"W 110.0 feet; thence S 82 degrees 30'W 25.0 feet; thence S 07 degrees 30'E 19.23 feet; thence Southerly 60.86 feet on a 467.0 foot radius curve to the left, the chord of which bears S 11 degrees 14' E 60.82 feet; thence S 14 degrees 58'E 190.0 feet; thence N 75 degrees 02' E 135.02 feet; thence S 64 degrees 37'E 554.56 feet; thence S 24 degrees 02'W 335.0 feet; thence S 89 degrees 26' 07" W 193.58 feet; thence N 43 degrees 35'51" W 423.56 feet; thence Northerly 91.45 feet on a 183.0 foot radius curve to the right, the chord of which bears N 29 degrees 17'W 90.50 feet; thence N 14 degrees 58'W 301.79 feet; thence Northerly 69.46 feet on a 533.0 foot radius curve to the right, the chord of which bears N 11 degrees 14'W 69.41 feet; thence N 07 degrees 30'W 97.69 feet; thence S 82 degrees 30'W 120.0 feet; thence N 23 degrees 22'W 111.04 feet; thence N 1 degree 39'21"E 83.60 feet; thence N 34 degrees 00'W 109.93 feet; thence N 31 degrees 57'W 140.03 feet; thence N 54 degrees 19'W 158.25 feet; thence N 02 degrees 00'W 118.07 feet; thence N 88 degrees 00'E 244.55 feet; thence Northeasterly 85.48 feet on a 158.0 foot radius curve to the right, the chord of which bears N 34 degrees 30'06"E 84.44 feet; thence N 50 degrees 00'E 214.89 feet; thence Northerly 179.80 feet on a 202.0 foot radius curve to the left, the chord of which bears N 24 degrees 30'E 173.93 feet; thence N 01 degrees 00'W 17.0 feet; thence N 89 degrees 00'E 66.0 feet along the South line of Charlevoix Drive (66.00 feet wide); thence S 01 degrees 00'E 17.0 feet; thence Southerly 133.88

feet on a 268.0 foot radius curve to the right, the chord of which bears S 13 degrees 18'39" W 132.50 feet to the place of beginning. This parcel contains 15.82 acres.

SECTION III. GENERAL PROVISIONS.

The following provisions shall hereby apply to the aforementioned Premises in addition to those Provisions outlined in Chapter XIV of the Cascade Charter Township Zoning Ordinance (Ordinance No. 11 of 1988).

SECTION IV. PURPOSE

The Premises occupies approximately 15.8 acres of land that is proposed to be developed into a site condominium project containing twenty-one (21) 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 Meadowood Trails Site Condominium Project are as follows:

A. Single family residences.

Professional or quasi-professional offices within a residence may be permitted upon review of the Cascade Charter Township Planning Commission 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 following design standards.

A. Maximum Number of Residential Units – The maximum number of single-family detached site condominiums shall be limited to 21 units.

B. Maximum Height – The maximum building or structure height erected on the Premises shall not exceed thirty-five (35) feet or two and one-half (2-1/2) stories, whichever is lesser.

C. Minimum Floor Area – Each site condominium unit shall contain a minimum of 3,000 square feet of finished livable area above grade level, exclusive of the garage, decks, porches, and breezeways.

D. Minimum Setback Requirements – All buildings and structures shall meet the following minimum setback requirements:

Front Yard Setback – 35 ' from the roadway easement

Side Yard Setback - 10' minimum from each side lot line

25' total – both side yards combined

Rear Yard Setback - 25' minimum from the rear lot line (golf course property line)

E. Minimum Parking Requirements – Each site condominium shall have a minimum of two (2) enclosed off street parking spaces.

F. Stormwater Drainage – All proposed stormwater drainage facilities shall be reviewed and approved by the Township Engineer and the Kent County Drain Commission prior to the development of the Premises.

G. Signs – Signs for the Premises shall conform with Section 6.02 of the Cascade Charter Township Sign Ordinance (Ordinance 12 of 1988).

Specific controls relating to architectural elements, construction materials, size and space requirements, improvements and out buildings, specific prohibitions and rules of conduct shall be governed by the Premises "Use Restrictions" (Article IV of Exhibit A, Meadowood Trails Bylaws) and shall become a part of this Ordinance. (For the purpose of this Ordinance said restrictions are attached and labeled "Attachment A – Use 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 – Meadowood Trails Master Deed".

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 14.12.2 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 14.12.4 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 sewer and water service to serve the Premises. The Developer shall also provide all necessary easements within the Premises 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 IX. PRIVATE STREETS.

A. The Developer shall submit a street construction, maintenance and pavement plan consistent with Section 14.12.4.f of the Zoning Ordinance. The Developer may establish a private road to serve the Premises provided the road is built to the specifications of the Kent County Road Commission in addition to the following standards and specifications.

1. 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.
2. All road grades shall meet with the approval of the Kent County Road Commission. Said grades shall be sufficient to allow for safe ingress/egress of emergency vehicles.
3. All cul-de-sacs within the Premises shall meet the specifications of the Kent County Road Commission.
4. All private road(s) shall be sufficiently drained to prevent stormwater runoff from causing soil erosion or trespass onto adjoining property.
5. All private roads serving the Premises shall be posted with street sign(s) stating the street(s) name(s). These sign(s) shall be consistent with Kent County Road Commission standards and requirements and shall be installed at Developer cost.
6. The private road(s) shall intersect with public roads only at 90 degree angles. A clear vision triangle shall be established by the developer to insure safe turning movements to and from the Premises. This "clear vision triangle" shall be developed to the specifications established by the Kent County Road Commission.
7. Complete maintenance of the private roads shall be the responsibility of the condominium association.

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: Champion, Ellinger, Hansen, Parrish, Rowland.

NAYS: None

ABSENT: Carpenter, Henning.

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 13th day of March, 1989.

Brenda J. Henning

Cascade Charter Township Clerk