

CASCADE CHARTER TOWNSHIP

Ordinance 4 of 1994
As Amended by Ordinance 1 of 2007 and
As amended by Ordinance #6 of 2007
As amended by Ordinance #2 of 2016

AN ORDINANCE TO AMEND THE CASCADE CHARTER TOWNSHIP ZONING ORDINANCE AND ZONING MAP TO ESTABLISH THE **SPRUCE MEADOWS PLANNED UNIT DEVELOPMENT PROJECT.**

Cascade Charter Township Ordains:

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

The application received from Atrium Associates or their assigns (hereinafter referred to as the “Developer”), for Planned Unit Development designation for the Spruce Meadows Project (hereinafter referred to as the “Project”) was recommended by the Cascade Charter Township Planning Commission for approval on December 20, 1993. The Project is recommended for rezoning from B-2, General Business to PUD, Planned Unit Development permitting the development of a commercial / office subdivision. 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 February 9, 1994.

Section II. Legal Description.

The legal description of the Project is as follows:

PART OF E 1/2 SE 1/4 COM AT SE COR OF SEC TH S 88D 05M 02S W ALONG S SEC LINE 1329.53 FT TO E 1/8 LINE TH N 1D 25M 52S W ALONG E 1/8 LINE 1421.24 FT TO A LINE 89.55 FT N FROM /MEAS PERP TO/ & PAR WITH S LINE OF N 1/2 SE 1/4 TH N 88D 20M 05S E ALONG SD LINE 40.97 FT TO BEG OF THIS DESC - TH N 88D 20M 05S E ALONG SD LINE 237.16 FT TH N 1D 39M 55S W 275.31 FT TO N LINE OF S 1695 FT OF E 1/2 SE 1/4 TH S 88D 00M 48S W ALONG SD N LINE 237.01 FT TH S 1D 37M 57S E 273.98 FT TO BEG * SEC 7 T6N R10W 1.50 A.

PART OF E 1/2 SE 1/4 COM AT SE COR OF SEC TH S 88D 05M 02S W ALONG S SEC LINE 1329.53 FT TO E 1/8 LINE TH N 1D 25M 52S W ALONG E 1/8 LINE 1421.24 FT TO A LINE 89.55 FT N FROM /MEAS PERP TO/ & PAR WITH S LINE OF N 1/2 SE 1/4 & BEG OF THIS DESC - TH N 88D 20M 05S E ALONG SD LINE 40.97 FT TH N 1D 37M 57S W 273.98 FT TO N LINE OF S 1695 FT OF E 1/2 SE 1/4 TH S 88D 00M 48S W ALONG SD N LINE 40.01 FT TO E 1/8 LINE TH S 1D 25M 52S E ALONG E 1/8 LINE 273.76 FT TO BEG * SEC 7 T6N R10W 0.25 A.

THAT PART OF S 1695 FT OF E 1758.71 FT OF SE 1/4 LYING W OF E LINE OF W 1/2 SE 1/4 EX THAT PART LYING S OF A LINE 89.55 FT N FROM & PAR WITH S LINE OF N 1/2 SE 1/4 * SEC 7 T6N R10W 2.72 A.

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 9Ordinance 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 4.47 acres of land that is currently vacant. The proposed use for the Project is to allow a limited number of land uses and some limited accessory uses commonly allowed in the “B-2”, General Business and “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 Spruce Meadows Project are as follows:

A. Land Uses Permitted By Right:

1. The following office establishments which perform services on the premises:
 - a. Financial Institutions, not including drive through facilities.
 - b. Insurance offices.
 - c. Real estate offices, offices for attorneys, accountants, architects, planners, engineers and similar professionals.
 - d. Photographic studios.
2. Professional service establishments providing human health care on an outpatient basis, including emergency medical clinics.
3. The following establishments customarily related to medical and dental uses:
 - a. Pharmacies or apothecaries.
 - b. Medical, dental and optical laboratories.
 - c. Stores offering supportive or corrective garments and prosthetic appliances.
4. The following miscellaneous business service establishments:
 - a. Consumers credit reporting agencies.
 - b. Mailing list and stenographic services.
 - c. Business management consulting services.
 - d. Duplicating services.

5. Athletic Clubs and Health Spas.
6. Offices of non-profit organizations, such as professional membership organizations, labor unions, civic, social and fraternal associations, political organizations and religious organizations.
7. Accessory structures and uses customarily incidental to the uses permitted in this Section, subject to the provisions of Section 4.08 of the Cascade Charter Township Zoning Ordinance.
8. Signs accessory to a permitted use as regulated by the Cascade Charter Township Sign Ordinance.
9. Temporary buildings, structures and uses and essential public services are provided in section 4.25 of the Cascade Charter Township Zoning Ordinance.
10. Business or Trade Schools.
11. Building Trades, excluding heavy equipment.
12. Lodge Hall, Private Clubs, Veteran's Clubs.
13. Office Machines & Computer Sales and Service

B. Land Uses Permitted by Special Use Permit (amended by Ord No 6 of 2007)

1. Personal service establishments primarily engaged in providing service generally involving the care of the person or his/her apparel, including but not limited to:
 - a. Barber and beauty shops.
 - b. Tailor and dressmaking shops.
 - c. Shoe shine and shoe repair shops.
 - d. Dry cleaning and laundry establishments.
2. Personal service agencies including but not limited to:
 - a. Babysitting.
 - b. Dating services.
 - c. Debt counseling or adjustment services to individuals.
 - d. Portrait copying.
 - e. Shopping services.
 - f. Tax return preparation services.
3. Child or Adult Day Care Centers.
4. Office uses which perform services on the premises other than those listed in Section V.A. (1), above.
5. Establishments customarily related to medical and dental uses other than those listed in Section V.A. (3), above.

6. Miscellaneous business service establishments other than those listed in Section VB.A. (4), above.
7. Roof and ground mounted communications antennas, excluding towers.
8. Minor Mineral Resource Extraction as regulated in Chapter 15 and Section 4.28 of the Cascade Charter Township Zoning Ordinance.
9. Amusement Enterprises.
10. Outdoor Recreation Centers, excluding amusement parks and firearm shooting ranges.
11. Sign Painting and Service Shops.
12. Drive-in facilities related to any of the uses listed in this PUD district.
13. Veterinary Clinics.
14. Hotels

Section VI. Design Guidelines, Requirements and Limitations

The development of all permitted uses within the Project shall conform to the subdivision plat approved by the Cascade Charter Township Board. No alterations, expansions or additions may take place to the Premises without an amendment to this Ordinance.

A. Site Development Standards:

1. Maximum height – 25 feet or 2 stories whichever is the lesser.
2. Setback Requirements:
Front: 40 feet
Side: 25 feet
Rear: 50 feet
3. Maximum Building Size – 20,000 square feet.
4. Lot Sizes (Area) – Lot sizes shall be a minimum of 1.48 acres and may include the 28th St Ct. easement or any other private road right-of-way or easement.

B. Site Development Standards for the Hotel site. (amended by Ord No 2 of 2016)

- a. Maximum height – 40 feet or 4 stories whichever is the lesser.
- b. Setback Requirements:
 - i. Front: 80 feet
 - ii. Side: 25 feet
 - iii. Rear: 50 feet

- c. Maximum Hotel Size – 114 room 16,000 square feet footprint.
 - d. The lot size and site shall be developed in accordance with the approved site plan dated 8/4/16 and the approved elevation pan dated 5-25-16. These plans shall be signed by the Township.
- C. Signs: (amended by Ord No 6 of 2007)
- 1. Only monument style signs and wall signs shall be permitted in the Project. All new signs (height, location, size, etc.) for the Project shall comply with the Cascade Charter Township Sign Ordinance, as amended.
 - 2. The development shall be permitted to utilize the directional signs on 28th St and Kraft Ave provided they do not increase the size of the signs. These signs are approximately 20 sq ft in size.
 - 3. The maximum size pylon sign for the hotel sign shall be 4 feet high and 120 sq ft.
- D. Landscaping Bufferyard Requirements: (amended by ord no 2 of 2016)
- 1. Each individual lot shall also be required to install a “C” type landscape bufferyard along each property line of the parcel, in accordance with Chapter 20 of the Cascade Charter Township Zoning Ordinance.
 - 2. The landscaping and bufferyards for the hotel site shall be in compliance with the landscape plan dated 8/4/16.
 - 2. Landscaping shall be installed within ninety (90) days of completion of the Project or 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.

Section VII. Temporary Buildings

No structure of a temporary nature; trailer, tent or construction shack shall be constructed, placed or maintained within the Project except accessory to and during construction of a permanent building or infrastructure improvement.

Section VII. Site Plan

- A. The site plan shall provide appropriate measurements demonstrating compliance with Chapters 16 and 21 of the Zoning Ordinance. Engineering plans and/or documents relating to utilities, topography, drainage, and the survey of the Project shall be reviewed and approved by the Township Engineer. Approval of these documents shall be based upon their meeting recognized, acceptable engineering standards and practices.

Section IX. Utilities

- A. The Project shall be served with public water and public sewer at the developer’s expense. The on-site water and sewer design and the connection to the public water and sewer systems shall be approved by the Township and the City of Grand Rapids prior to installation. Said improvements shall be consistent with the Sewer and Water Master Plans for Cascade Township.
- B. The Developer shall provide all necessary easements within the Project for telephone, electricity, gas and cable television 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 X. Miscellaneous Development Requirements (amended by ord No 2 of 2016)

- A. The applicant shall submit a soil erosion control plan showing all temporary and permanent soil erosion control measures to be taken before, during, and after construction on the site. This plan shall be reviewed and approved by the Township Engineer prior to commencing any building on the site.
- B. The Township Planning Department shall receive all correspondence and permits from the Kent County Drain Commissioner regarding storm water disposal.
- C. Each individual site shall be required to enter into a storm water maintenance agreement at the time the site plan is approved in a form acceptable to the Township.

Section XI. 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 XII. Effective Date

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

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

YEAS:
NAYS:

ABSENT:

Ron Goodyke
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 th day of , .

Ron Goodyke
Cascade Charter Township Clerk