

CASCADE CHARTER TOWNSHIP

Ordinance #10 1990

AN ORDINANCE TO AMEND THE CASCADE CHARTER TOWNSHIP ZONING ORDINANCE, BEING ORDINANCE 11 OF 1988, TO ESTABLISH THE GATEHOUSE CONDOMINIUM DEVELOPMENT PROJECT

CASCADE CHARTER TOWNSHIP ORDAINS:

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

That the application received from Foremost Real Estate Corporation, or their assigns (hereinafter referred to as the "Developer") for Planned Unit Development designation for the proposed Gatehouse Condominium development (hereinafter referred to as the "Premises") was recommended for approval by the Cascade Charter Township Planning Commission on June 4, 1990. The Premises is recommended for rezoning from its former zoning classification, PUD -Planned Unit Development because of changes to the original concept plan, thereby requiring this amendment to the Cascade Charter Township Zoning Ordinance being Ordinance No. 11 of 1988, and Zoning Map to incorporate the Planning Commission's recommendation and the Cascade Township Board's action on June 11, 1990. This amendment is also necessary to resolve the total number of dwelling units to be allowed in the Gatehouse Planned Unit Development.

SECTION II. LEGAL DESCRIPTION.

The legal description of the property is as follows:

Parcel A: That part of the NW 1/4, and that part of the NE 1/4, Section 17, T6N, R10W, Cascade Township, Kent County, Michigan, described as: Commencing at the N 1/4 corner of Section 17; thence S89 degrees 34'15"W 150.65 feet along the North line of said NW 1/4; thence S00 degrees 00'W 2275.46 feet to the PLACE OF BEGINNING of this description; thence N 58 degrees 00'E 213.34 feet; thence S 40 degrees 47'E 70.71 feet; thence S 25 degrees 00' E 99.04 feet; thence S 47 degrees 03'15"W 199.27 feet; thence N 38 degrees 00'W 107.29 feet along the Easterly line of Charlevoix Drive (66 feet wide); thence Northerly 99.49 feet along said Easterly line on a 950.03 foot radius curve to the right, the chord of which bears N35 degrees 00'W 99.44 feet to the place of beginning. Subject to easements of record. This parcel contains 0.91 Acres.

Parcel B: That part of the NE 1/4, Section 17, T6N, R10W, Cascade Township, Kent County, Michigan, described as: Commencing at the N 1/4 corner of Section 17; thence N 89

degrees 40'22"E 29.03 feet along the North line of said NE 1/4; thence S 00 degrees 00'W 2390.10 feet to the PLACE OF BEGINNING of this description; thence N 47 degrees 03'15"E 148.82 feet; thence Northeasterly 120.20 feet on a 425.23 foot radius curve to the right, the chord of which bears N 55 degrees 09'08"E 119.80 feet; thence N 63 degrees 15'E 121.00 feet; thence N 67 degrees 52'45"E 42.35 feet; thence S 05 degrees 00'E 121.00 feet; thence S 90 degrees 00'E 120.00 feet; thence S 57 degrees 00'E 250.01 feet; thence Westerly 125.94 feet on a 256.24 foot radius curve to the left, the chord of which bears S 67 degrees 24'50"W 124.68 feet; thence S 53 degrees 20'W 64.73 feet; thence Westerly 186.29 feet on a 795.54 foot radius curve to the right, the chord of which bears S 60 degrees 02'30" W 185.86 feet; thence S 66 degrees 45'W 53.34 feet; thence Westerly 205.84 feet on a 156.73 foot radius curve to the right, the chord of which bears N 75 degrees 37'30"W 191.36 feet; thence N 38 degrees 00'W 214.91 feet to the place of beginning. Subject to easements of record. This parcel contains 3.929 acres.

Parcel C: That part of the NE 1/4, and that part of the SE 1/4, Section 17, T6N, R10W, Cascade Township, Kent County, Michigan, described as: Commencing at the N 1/4 corner of Section 17; thence N 89 degrees 40'22"E 147.42 feet along the North line of said NE 1/4; thence S 00 degrees 00'W 2662.17 feet to the PLACE OF BEGINNING of this description; thence N 48 degrees 20'02"E 88.64 feet; thence Easterly 137.53 feet on a 156.73 foot radius curve to the left, the chord of which bears S 88 degrees 06'41"E 133.16 feet; thence N 66 degrees 45'E 53.34 feet; thence Easterly 11.36 feet on a 795.54 foot radius curve to the left, the chord of which bears N 66 degrees 20'27"E 11.36 feet; thence S 29 degrees 36'E 198.61 feet; thence S 77 degrees 24'W 220.0 feet; thence Northwesterly 200.00 feet along the Easterly line of Charlevoix Drive (66 feet wide) on a 1567.00 foot radius curve to the right, the chord of which bears N 45 degrees 19'21"W 199.86 feet to the place of beginning. Subject to easements of record. This parcel contains 1.079 Acres.

Parcel D: That part of the NE 1/4, Section 17, T6N, R10W, Cascade Township, Kent County, Michigan, described as: Commencing at the N 1/4 corner of Section 17; thence N 89 degrees 40'22"E 792.57 feet along the North line of said NE 1/4; thence S 00 degrees 00'W 2350.38 feet to the PLACE OF BEGINNING of this description; thence N 72 degrees 30'E 177.07 feet; thence N 52 degrees 00'E 211.98 feet; thence S 38 degrees 00'E 117.37 feet; thence Southerly 204.67 feet on a 105.33 foot radius curve to the right, the chord of which bears S 17 degrees 40'W 173.96 feet; thence S 73 degrees 20'W 89.36 feet; thence Westerly 192.13 feet on a 256.00 foot radius curve to the right, the chord of which bears N 85 degrees 10'W 187.65 feet; thence Northwesterly 79.46 feet on a 158.82 foot radius curve to the right, the chord of which bears N 49 degrees 20'W 78.64 feet; thence N 35 degrees 00'W

40.36 feet to the place of beginning. Subject to easements of record. This parcel contains 1.618 Acres.

SECTION III. GENERAL PROVISIONS.

The following provisions shall hereby apply to the aforementioned Premises in addition to any other provisions so specified in the Cascade Charter Township Zoning Ordinance (Ordinance No. 11 of 1988).

SECTION IV. PURPOSE AND INTENT.

The Premises occupies a 7.53 acre tract of land that may be developed in phases over a period of five years. The Premises shall not contain more than 20 residential dwelling units that will be sold as individual condominiums.

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 the development with adjacent land uses and the natural environment; to permit flexibility in the regulation of land development; and to encourage the provision of useful open space.

The provisions of this Ordinance are not intended as a substitute for the Cascade Charter Township Zoning Ordinance and 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.

SECTION V. PERMITTED USES.

For land and buildings, the permitted uses for the Premises shall be limited to single family residential units.

SECTION VI. DESIGN STANDARDS.

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 residential dwellings for Gatehouse shall be limited to 20 units. The maximum number of units that can be developed in the entire Gatehouse Planned Unit Development shall be limited to 85 units, occupying no more than 36 buildings.
- 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 lessor.

- C. Minimum Floor Area - The minimum gross floor area for each residential dwelling unit shall be 1,600 square feet.
- D. Minimum Parking Requirements - Each residential dwelling unit shall have provide 2.5 parking spaces with a minimum of two (2) enclosed off-street parking spaces per dwelling unit. The use of outside parking areas for the storage of campers, mobile homes, trailers, snow mobiles, recreation vehicles, boats, or commercial trucks is prohibited.
- E. Minimum Setback and Spacing Requirements - All buildings and structures (except signs) shall adhere to the following setback requirements:
 - 1. Front - 25 feet from edge of paved road
 - 2. Rear - 25 feet from property line
 - 3. Between building and structures - 20 feet
- F. Stormwater Drainage - The Premises shall be designed to maintain stormwater drainage at predevelopment rates. All proposed stormwater drainage facilities shall be reviewed and approved by the Township Engineer and the Kent County Drain Commissioner prior to development of the Premises.
- G. Exterior Lighting - The Developer shall provide street lighting within the Premises at his expense. All street lighting shall be consistent with Section 19.09 of the Zoning Ordinance.

SECTION VII. 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 a permanent building.

SECTION VIII. BUFFERYARD AND LANDSCAPING REQUIREMENTS.

- A. Minimum Bufferyard and Landscape Requirements - For the purposes of screening the Premises the Developer shall provide bufferyard and landscaping materials consistent with the following requirements setforth below:

- 1. A minimum 25 foot wide bufferyard along Charlevoix Drive with the following minimum number of landscape materials per 100 lineal feet:

- 2 Shade Trees
- 4 Ornamental or Evergreen

6 Shrubs

2. Bufferyards shall be located on the outer perimeter of the Premises to the logical extent possible. Any existing plant material which satisfies the requirements of this Section may be counted toward satisfying their respective landscape requirement for the lineal feet in which they occupy. It cannot be credited towards areas that have no significant stands of trees.

B. Minimum Plant Size Requirements - For the purposes of this development all landscaping materials shall meet the following minimum size standards:

<u>Plant Type</u>	<u>Size</u>
Shade Tree	2-1/2 inch caliper
Ornamental Tree	1-1/2 inch caliper
Evergreen Tree	6 feet
Shrubs	3 feet

All plant species listed in Section 20.11 of the Cascade Township Zoning Ordinance shall not be credited as meeting the landscape requirements contained in this Ordinance.

C. Other Landscape Requirements -

1. Landscaping shall be installed within ninety (90) days of completion of each phase, or unless permitted in writing by the Planning Director at a later date.
2. 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.
3. Where appropriate, plantings should be grouped or clustered to provide the maximum visual effect.

SECTION IX. MISCELLANEOUS DEVELOPMENT REQUIREMENTS

- A. The Developer shall submit sufficient and reasonable financial information to the Township Attorney to determine the developer's financial capabilities to fully develop the Premises.
- B. 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.

SECTION X. WATER AND SEWER.

All buildings within the Premises shall be served with public water and sewer at the Developer's expense. The connection to the public sewer and water systems shall be approved by the Township and the City of Grand Rapids prior to installation.

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.


SECTION XII. MASTER DEVELOPMENT PLAN, PHASING

The Premises shall conform in as much as reasonably possible to the master development plan approved by the Township Board and signed by the Township on June 11, 1990. In the event the Developer elects to develop the Premises in separate distinct phases he shall be required to submit site plans of each phase. The Planning Commission shall review and approve these plans prior to the construction of the intended phase to insure consistency with the master development plan. This review shall be conducted at no monetary charge to the Developer, provided that no amendment or variance to this Ordinance or the Cascade Charter Township Zoning Ordinance is required.

SECTION XIII. 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 Parrish, supported by Board Member Carpenter. The roll call vote being as follows:

YEAS: Burlingham, Carpenter, Hansen, Parrish & Rowland.
NAYS: None
ABSENT: Champion & Henning


Marlene K. Kleinheksel
Cascade Charter Township
Deputy 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 11th day of June, 1990.



Marlene K. Kleinheksel
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Cascade Charter Township
Deputy Clerk