

AGENDA
Cascade Charter Township Planning Commission
Monday, May 20, 2019
7:00 pm
Cascade Library Wisner Center
2870 Jacksmith Ave. SE

- ARTICLE 1. Call the meeting to order
Record the attendance**
- ARTICLE 2. Pledge of Allegiance to the flag**
- ARTICLE 3. Approve the current Agenda**
- ARTICLE 4. Approve the Minutes of the May 13, 2019 meeting**
- ARTICLE 5. Acknowledge visitors and those wishing to speak to non-agenda items.
(Comments are limited to five minutes per speaker.)**
- ARTICLE 6. Case # 19-3527 Roundhill PUD Amendments – Sentenel Pointe
PUBLIC HEARING
Property Address: 3000 Thornhills
Requested Action: Amend the existing PUD to allow for decks for the single-family portion of the project to extend beyond the approved building envelope, but no closer than 25 feet from the rear property line.**
- ARTICLE 7. Any other business**
- ARTICLE 8. Adjournment**

Meeting Format

- 1. Staff Presentation** *Staff report and recommendation*
- 2. Project presentation-** *Applicant presentation and explanation of project*
 - a. PUBLIC HEARINGS**
 - i. Open Public Hearing.** *Comments are limited to five minutes per speaker; exception may be granted by the chair for representative speakers and applicants*
 - ii. Close public hearing**
- 3. Commission discussion – May ask for clarification from applicant, staff or public**
- 4. Commission decision - Options**
 - a. Table the decision** *d. Approve with conditions*
 - b. Deny** *e. Recommendation to Township Board*
 - c. Approve**

MINUTES
Cascade Charter Township
Planning Commission
Monday, May 13, 2019
7:00 P.M.

ARTICLE 1. Vice Chairman Rissi called the meeting to order at 7:00 P.M.
Members Present: Johnson, Katsma, Krieter, Lewis, Rissi, Moxley, and Sperla
Members Absent: (Excused) Noordyke, Pennington
Others Present: Community Development Director, Steve Peterson and those listed on the sign in sheet.

ARTICLE 2. Pledge of Allegiance.

ARTICLE 3. Approve the current Agenda.

Motion was made by Member Lewis to approve the Agenda. Supported by Member Katsma. Motion carried 6 to 0.

ARTICLE 4. Approve the Minutes of the April 15, 2019 meeting.

Motion was made by Member Johnson to approve the minutes of April 15, 2019 with noted correction. Supported by Member Krieter. Motion carried 6 to 0.

Chairman Sperla arrived to the meeting at 7:05.

ARTICLE 5. Acknowledge visitors and those wishing to speak to non-agenda items.

Ron McCollum (6660 Old 28th St Suite 203) came forward to distribute information about the Round Hill PUD Amendment scheduled for next week. Director Peterson allowed Mr. McCollum to distribute the information to present Members, and reminded those present that discussion may not be held with anyone in the public, or with each other before the scheduled meeting.

ARTICLE 6. Case #19-3524 Jeff Tolan

Public Hearing

Property Address: 8505 60th St

Requested Action: The Applicant is requesting a special use permit to construct an accessory building over 832 sq ft.

Director Peterson stated that Applicant is requesting a special use permit to construct a building that is 40x40, 18ft tall at the midpoint, so that requires at least a 40ft setback. The nearest property line is about 180ft away. The building is intended to be used for storage, and will be metal sided, and metal roofed, described to be consistent with that area of the township.

Director Peterson recommends approval of the special use permit under the usual conditions that it may not be used to run a business, have any type of living space, and that any lighting will meet Township regulations.

Vice Chairman Rissi invited the Applicant to come forward with any comments.

Mr. Tolan stated that he did not have anything to add, but came forward to clarify that this space would be used for mechanic work on his dirt bike, truck, and other personal items.

Motion was made by Member Johnson to open public hearing. Supported by Member Krieter. Motion carried 7 to 0.

Vice Chairman Rissi invited members of the public to come forward with comment.

Mr. Jeff Dionne (2984 Thornapple River Drive) came forward to support Mr. Tolans special use permit application to construct this accessory building.

Motion was made by Member Krieter to close public hearing. Supported by Member Johnson. Motion carried 7 to 0.

Motion was made by Member Krieter to approve the special use permit to construct an accessory building over 832 sq ft. with the three conditions previously outlined by Director Peterson. Supported by Member Sperla. Motion carried 7 to 0.

ARTICLE 7.

Case #19-3526 Robert Grooters Development Co.

Property Address: 5400 International Parkway

Requested Action: Site Plan Review for a new 112,188 sq ft distribution/warehouse facility building.

Director Peterson stated there are a couple of maps for reference in the packets. This will be in the Meadowbrook Business Park, and will need to go through the Meadowbrook Review Board, which they have received their approval for. The Road Commission has approved the access to their site with some modifications to boulevards in the area, the Fire Department has reviewed and approved the plan with the addition of a yard hydrant in the rear of the building. The Drain Commission has approved the plan with no additional water detention necessary. The airport is also aware and is without additional comment.

Director Peterson is recommending approval of the Site Plan, and states that a photometric site plan, and routine stormwater agreement is still needed.

Vice Chairman Rissi invited the Applicant to come forward with comment.

Justin Longstreth with Moore & Bruggink came forward representing Robert Grooters Development Co. stating that he will be happy to answer any questions asked of him, and states that they are very comfortable with the conditions listed in the Staffs review letter.

Motion was made by Member Lewis to approve the Site Plan Review for a new 112,188 sq ft distribution/warehouse facility building with the conditions previously listed by Director Peterson. Supported by Member Sperla. Motion carried 7 to 0.

ARTICLE 8. Any other business

ARTICLE 9. Adjournment

Motion was made by Member Krieter to adjourn. Supported by Member Lewis. Motion carried 7 to 0. The meeting was adjourned at 7:15 p.m.

Respectfully submitted,
Phil Johnson, Secretary

TO: Cascade Charter Township Planning Commission
FROM: Steve Peterson, Community Development Director
REPORT DATE: May 14, 2019
MEETING DATE: May 20, 2019
CASE: #19-3527/Roundhill PUD Amendments – Sentenel Pointe

GENERAL INFORMATION

- A. **Applicant:** Finko LLC
- B. **Status of Applicant:** Owner
- C. **General Location:** East side of Thornhills just south of 28th St.
- D. **Requested Action:** Amend the existing PUD to allow for decks for the single-family portion of the project to extend beyond the approved building envelope but no closer than 25 feet from the rear property line.
- E. **Existing Zoning on Subject Parcels:** PUD 55
- F. **Zoning on Adjoining Parcels:**
N – PUD 36
S – PUD 55
E – R2
W – PUD 38
- G. **Parcel Size:** Approximately 5.2 acre parcel
- H. **Existing Land Use on Subject Parcel:** residential
- I. **Adjacent Area Land Uses:**
North - Library
East - Residential
South - Residential
West - office

STAFF ANALYSIS

- J. The applicant is requesting Preliminary Plan Review in order to allow for decks to be built for the single-family portion of the project. This would allow decks to extend beyond the approved building envelope but no closer than 25 feet from the rear property line.
- A. This project was recently approved in 2016. During that process the developer identified building envelopes where the building and structures would be located. They have since realized that they made no provision for decks. They would like to amend the project to accommodate decks.
- B. The only home (6546 Roundhill Ct) has been constructed and has built a deck (with no permit). We have not been able to issue a building permit for the deck because it extends beyond or outside of the approved building envelope.
- C. Rather than seek a variance, which staff would not support, they are seeking this amendment to rectify the matter, which would also address all of the other lots in the project.
- D. The amendment would only impact decks and would not change the location of the building envelopes for the homes. The request to have a minimum of a 25-foot rear setback would be what is normally required for a house in Cascade. There should also be a provision that the deck would meet the “normal” 25-foot total/ 10-foot side yard setback requirement. This would also be consistent with other homes in Cascade
- E. I don't believe the requested amendment would be inconsistent with the plan that we approved. The building envelopes were used for setback purposes because at the time the applicant was going utilize the condominium approach instead of the site condominium approach. Given how tight everything was we wanted to make sure we knew where the buildings were going.
- F. If the changes are approved the applicant will have to produce a site plan showing that the current deck meets the requirement prior to getting a building permit. Currently we have only issued a conditional occupancy permit for the home. either the amendment gets approved or the deck is removed.
- G. An adjoining neighbor has sent in some comments relative to his concerns regarding the project. It is worth noting that the concerns are not in relationship to the requested change, (other than the fact that the applicant needs approval for the decks, which they are seeking with the

amendment) but rather a list of grievances that go back to the original amendment that permitted the new subdivision.

H. The developer should be prepared to state for the record that this change would not alter the approved plans other than now allowing decks.

I. Standards

Section 16.03 of the Zoning Ordinance requires that a Planned Unit Development must demonstrate that:

Standard	Staff Comment
Granting of the Planned Unit Development rezoning will result in a recognizable and substantial benefit to the ultimate users of the project and to the community, where such benefit would otherwise be unfeasible or unlikely to be achieved.	The property is already zoned PUD. The changes they are asking for are consistent with the master plan and are consistent with how we treat other residential decks.
In relation to underlying zoning, the proposed type and density of use shall not result in a material increase in the need for public services, facilities and utilities, and shall not place a material burden upon the subject or surrounding land or property owners and occupants or the natural environment	This amendment would not result in a material increase in the need for public services.
The proposed development shall be compatible with the General Development Plan of the Township, and shall be consistent with the intent and spirit of this Chapter	The amendment is consistent with the master plan. The amendments would not change the overall plan that permitted the subdivision.
In relation to underlying zoning, the proposed development shall not result in an unreasonable negative economic impact upon surrounding properties	The addition of a deck to the homes would not result in an unreasonable negative economic impact.
The proposed development shall contain at least as much green area and usable open space as would otherwise be required by this Ordinance with respect to the most dominant use in the development	No change from original approval.
The proposed development shall be under single ownership or control	met

such that there is a single person or entity having responsibility for completing the project in conformity with this Ordinance. This provision shall not prohibit a transfer of ownership or control, upon due notice to the Planning Director of the Township	
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Staff Recommendation

Staff recommends approval of the plan. Once approved, we will put together the P.U.D. ordinance amendments with the applicant for your review so you can make a recommendation to the Township Board.

Attachments: Application
 Site plan
 Concerns from Mr. Rhode (May 7, 2019 letter)



CASCADE CHARTER TOWNSHIP

2865 Thornhills SE Grand Rapids, Michigan 49546-7140

PLANNING & ZONING APPLICATION

APPLICANT: Name: Thomas Michael Homes LLC / Tom Giusti
 Address: P.O. Box 441
 City & Zip Code Ada, MI 40301
 Telephone: 616-581-8744
 Email Address: tom@thomasmichaelhomes.com

OWNER: * (if different from Applicant)
 Name: Finko LLC
 Address: Jason S. Schnelker
 City & Zip Code: 44 Grandville Ave SW Suite 200 Grand Rapids MI 49503
 Telephone: 616-828-5370
 Email Address: jason.schnelker@srmlawyers.com

NATURE OF THE REQUEST: (Please check the appropriate box or boxes)

<input type="checkbox"/> Administrative Appeal	<input type="checkbox"/> Administrative Site Plan Review
<input type="checkbox"/> Deferred Parking	<input checked="" type="checkbox"/> P.U.D. - Rezoning *
<input type="checkbox"/> P.U.D. - Site Condominium *	<input type="checkbox"/> Rezoning
<input type="checkbox"/> Site Plan Review *	<input type="checkbox"/> Sign Variance
<input type="checkbox"/> Special Use Permit	<input type="checkbox"/> Subdivision Plat Review *
<input type="checkbox"/> Zoning Variance	<input type="checkbox"/> Other: _____ *

** Requires an initial submission of 5 copies of the completed site plan*

BRIEFLY DESCRIBE YOUR REQUEST:**

Request to allow for decks on houses not closer than 25 feet from rear property line.

(**Use Attachments if Necessary)
-SEE OTHER SIDE-

Assessing
949-6176

Building
949-3765

Buildings & Grounds
682-4836

Clerk
949-1508

Fire
949-1320

Manager
949-1500

Planning
949-0224

Treasurer
949-6944

LEGAL DESCRIPTION OF PROPERTY:**
See Attached

(**Use Attachments if Necessary)

PERMANENT PARCEL (TAX) NUMBER: 41-19 See Attached PP#s and Addresses

ADDRESS OF PROPERTY: _____

PRESENT USE OF THE PROPERTY: Residential

NAME(S) & ADDRESS(ES) OF ALL OTHER PERSONS, CORPORATIONS, OR FIRMS HAVING A LEGAL OR EQUITABLE INTEREST IN THE PROPERTY:

Name(s)	Address(es)
<u>DALTON DEVOS</u>	<u>6546 Round Hill Ct.</u>
_____	_____

SIGNATURES

I (we) the undersigned certify that the information contained on this application form and the required documents attached hereto are to the best of my (our) knowledge true and accurate. I (we) also agree to reimburse the Cascade Charter Township for all costs, including consultant costs, to review this request in a timely manner. I (we) understand that these costs may also include administrative reviews which may occur after the Township has taken action on my (our) request.

I (we) the undersigned also acknowledge that the proposed project does not violate any known property restrictions (i.e. plot restrictions, deed restrictions, covenants, etc.)

Finko LLC

****Dalton Devos** *by Jonathan D. Devo* **Tom Giusti / Thomas Michael Homes LLC**

Owner - Print or Type Name
(*if different from Applicant)
Finko, LLC

Applicant - Print or Type Name

By: *Jonathan D. Devo*, Attorney at Law
Owner's Signature & Date *Jason S. Schuelker*
(*if different from Applicant) 4/22/19

Tom Giusti
Applicant's Signature & Date

dotloop verified
on 10/19 2:25 PM EDT
WNAE-PZPP-LQ9K-FG7A

PLEASE ATTACH ALL REQUIRED DOCUMENTS NOTED IN THE PROCESS REVIEW SHEET - THANK YOU

Rev. 7/24/14

**Dalton DeVos is the Owner of Unit 8 of Round Hill Condominium

Building	Buildings & Grounds	Clerk	Finance	Mortgage	Planning	Treasurer
949-3766	482-4836	949-4594	949-1500	949-1500	949-3224	949-6234

CASCADE CHARTER TOWNSHIP

Ordinance 1 of 2016

AN ORDINANCE TO Amend the
Sentinel Pointe
Ordinance #1 of 1980
as amended by Ord No 6 of 1984
PLANNED UNIT DEVELOPMENT PROJECT.

CASCADE CHARTER TOWNSHIP ORDAINS:

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

The application received from Driftwood Ventures or its assigns (hereafter referred to as the “Developer”) is to amend the Sentinel Pointe Planned Unit Development to replace the 40 unit elderly housing facility with a ten unit single family residential development called Roundhill (hereinafter referred to as the “Project”). The existing 154 unit retirement facility is not part of this amendment. The project was recommended by the Cascade Charter Township Planning Commission for approval on 2/1/16, to amend the current PUD, Planned Unit Development. Approval of the proposed PUD amendment requires an amendment to the Cascade Charter Township Zoning Ordinance and Zoning Map to incorporate the Planning Commission’s recommendations and the final actions of the Cascade Charter Township Board on 3/9/16.

SECTION II. LEGAL DESCRIPTION.

1. Ten unit condominium project - Roundhill

PART OF NW 1/4 COM AT NW COR OF SEC TH 90D 00M 00S E ALONG N SEC LINE 1475.51 FT TO E LINE OF LOT 7 OF ARDEN HILLS PLAT EXT N TH S 0D 08M 00S E ALONG SD EXT E LOT LINE & SD E LOT LINE & SD E LOT LINE EXT S 0D 08M 00S E 1125.46 FT TO BEG OF THIS DESC - TH S 78D 30M 00S W 212.73 FT TH N 85D 00M 00S W 759.30 FT TO ELY LINE OF THORNHILLS AVE /100 FT WIDE/ TH NLY ALONG ELY LINE OF SD AVE TO A PT 895 FT S FROM N SEC LINE TH E PAR WITH N SEC LINE TO E LINE OF SD LOT 7 EXT S TH S 0D 08M 00S E ALONG SD EXT E LOT LINE TO BEG * SEC 16 T6N R10W 5.24 A.

2. Existing 154 unit retirement home

411916103012 PART OF NW 1/4 COM AT NW COR OF SEC TH 90D 00M E ALONG N SEC LINE 1475.51 FT TO E LINE OF LOT 7 OF ARDEN HILLS EXT N TH S 00D 08M E ALONG SD EXT E LOT LINE TO CL OF THORNAPPLE RIVER DR TH S 63D 15M 32S W 234.98 FT TH S 46D 34M 38S W 129.5 FT

TO BEG OF THIS DESC- TH N 45D 00M W 275.0 FT TH N 49D 00M E 175.0 FT TH N 57D 00M E 187.47 FT TH N 85D 00M W 759.30 FT TO ELY LINE OF THORNHILLS AVE /100 FT WIDE/ TH SWLY ALONG SD ELY LINE TO A PT 288.21 FT N FROM E&W 1/4 LINE TH E 10 FT TH S 24.21 FT TO N LINE OF S 264 FT OF NW 1/4 TH E ALONG SD N LINE TO CL OF THORNAPPLE RIVER DR TH NELY ALONG SD CL TO BEG * SEC 16 T6N R10W 18.25 A.

SECTION III. GENERAL PROVISIONS.

The conditions, requirements, and regulations contained in this document shall apply to the Project in addition to those requirements and regulations contained in Chapter XVI of the Cascade Charter Township Zoning Ordinance (Ordinance No. 11 of 1988).

SECTION IV. PURPOSE.

The Project occupies approximately 5.24 acres of land that is proposed to be developed as a 10 unit single family residential condominium development. The Planned Unit Development technique has been chosen by the Developer to provide more control over the development's aesthetics and appearance.

The conditions, requirements, and regulations contained in this document are established to ensure high quality development of the Project. Additionally, they are designed to achieve integration of this development with adjacent and area land uses.

SECTION V. APPROVAL LIMITATIONS.

- A. The provisions of this Ordinance/Ordinance amendment ("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 otherwise expressly provided herein. In the event that a development issue or site plan element is not expressly addressed by this Ordinance, the specifications and requirements of the Cascade Charter Township Zoning Ordinance shall apply. Furthermore, all other applicable Cascade Charter Township ordinances shall still govern the Project where applicable.
- B. Except as expressly otherwise provided herein, the Developer and its assigns must meet all applicable provisions, ordinance requirements, and regulations of Cascade Charter Township, as well as federal, county, and state law, and must obtain all necessary approvals from state and county governmental agencies that are required for construction, operation, or use.
- C. This PUD approval is expressly contingent upon all conditions of approval herein remaining fully effective and valid. If any condition imposed herein is determined to be invalid, illegal or contrary to law as a result of a successful legal challenge by the Developer or its assigns, or any other party, the Township reserves the right to review the entire Project under the PUD provisions of the Cascade Charter Township Zoning Ordinance, and further, to withdraw its

approval of this PUD if the Township finds that, absent the effect of any condition imposed herein, the PUD no longer meets the standards for PUD approval contained in the Zoning Ordinance.

- D. All conditions contained herein and in the final approved site plan shall be binding upon the Developer, as well as its successors, tenants and assigns. The conditions may be modified or amended only pursuant to a formal amendment of the PUD approval, approved site plan, and ordinance amendment. The Project must be constructed, operated and maintained, and all properties therein used, in strict compliance with the PUD approval (including this Ordinance and the final approved site plan), and no deviations can occur without prior formal written approval by the Township. So-called minor deviations shall not occur or be made unilaterally by the Developer or its successors, tenants, or assigns. Any deviation without prior formal written approval by the Township will constitute a violation of this Ordinance and the Cascade Charter Township Zoning Ordinance.
- E. This approval document shall be recorded with the Kent County Register of Deeds by the Developer prior to construction occurring on site and shall run with and bind the lands involved. Copies of this recorded document shall be supplied by the Developer to the Cascade Charter Township Clerk.
- F. Failure to comply with the site plan or any condition of approval herein shall be deemed to be both a nuisance per se and a violation of the Cascade Charter Township Zoning Ordinance.
- G. Prior to recording a copy of this document as specified in Section V(E) hereof, the Developer shall type the following statement onto the end of this document (or add an additional page to the document) as follows, and shall sign and date the same:

“Driftwood Ventures has fully read the above PUD ordinance amendment, understands its provisions and fully agrees with all requirements and conditions contained in the same, on behalf of it and its assigns, successors and transferees in and to the property involved.”

SECTION VI. PERMITTED USES.

The permitted uses for the Sentinel Pointe PUD are as follows:

- A. 10 Single Family Residences - Roundhill
- B. The Existing 154 unit retirement facility – Sentinel Pointe
- C. Signs. All signs for the Project shall conform with Section 6.02 of the Cascade Charter Township Sign Ordinance (Ordinance 14 of 1997, as amended).

Section VII. Design Guidelines, Requirements and Limitations.

The Project shall be developed in exact accordance with the site plan approved by the Township. No alterations, expansions or additions may occur as to the Project without a formal amendment to this Ordinance, unless expressly otherwise authorized herein.

- A. Maximum Number of Residential Units
 - 1. Roundhill – Ten (10) single-family detached condominium units.
 - 2. Existing retirement facility - 154
- B. Maximum Building or Structure Height
 - 1. Roundhill – 35 feet or two and a half stories whichever is less
 - 2. Existing retirement facility – as constructed
- C. Setback Requirements
 - 1. Roundhill - All condominium buildings and structures shall be placed within the building footprint area as shown on the final approved site plan dated 11/23/15.
 - 2. Existing retirement facility – as constructed
- D. Minimum Floor Area
 - 1. Roundhill -Each dwelling on a condominium unit shall contain a minimum of:
 - (a) One Story: 1300 square feet on the main floor, finished livable area above grade level, exclusive of garages, decks, porches and breezeways.
 - (b) Two Story: 1600 square feet, with a minimum of 800 square feet on the first floor, finished livable area above grade level, exclusive of garages, decks, porches and breezeways.
 - 2. Existing retirement facility
 - (a) As constructed

Section VIII. Private Street Development - Roundhill.

- A. The Developer shall submit to the Township a street construction, maintenance, and pavement plan consistent with Section 16.11(4)(f) of the Zoning Ordinance. The Developer may establish private streets to serve the Project provided the roads are constructed in accordance with the “Cascade Charter Township Engineering Design Requirements and Standards for Private Streets” and the following specifications:
1. The road grades shall not exceed a six percent (6%) grade. All grades shall be sufficient to allow safe ingress/egress of emergency vehicles.
 2. The private streets shall be posted with signs stating the street names. These signs shall be consistent with Kent County Road Commission standards and requirements and shall be installed at the Developer’s cost.
 3. Any private street shall intersect any public road at a 90 degree angle.
 4. Copies of any permits required by the Kent County Road Commission to connect the private street to any public road shall be provided to the Township Planning Department by the Developer.
- B. In accordance with Section G of the “Cascade Charter Township Engineering Design Requirements and Standards for Private Streets,” the Developer of the Project shall provide a disclosure statement on all property deeds to all owners of the private street, all those who utilize the private street and all persons securing a building permit to construct a building or structure served by the private street, stating that by applying for and securing a building permit for construction of a building or structure that utilizes the private street, all such persons shall use the private street at their own risk and the Township (and its employees, officials, and agents) shall not be responsible for any aspect of the private street.
- C. In accordance with Section I of the “Cascade Charter Township Engineering Design Requirements and Standards for Private Streets,” it shall be the responsibility of the Developer and its successors or the individual property owners to fully maintain and keep the private streets in good repair at all times and to ensure that snow and ice is removed in a timely fashion during the winter.
- D. No building may be erected within the Project until a temporary access road is constructed to within 100 feet of the furthest point of a structure. Such road shall be a minimum 18 feet wide and be able to support 20 tons on a single axle with dual wheels and standard road tires.

Section IX. Temporary Buildings.

No structure of a temporary nature, including, but not limited to, any trailer, tent or construction shack shall be constructed, placed or maintained within the Project except lawfully accessory to and during construction of any building or infrastructure improvement.

Section X. Utilities.

- A. Water and Sewer – The individual units in the Project will be served by public water and sewer. Such systems shall be designed, installed, and approved by Cascade Township and the City of Grand Rapids.
- B. Stormwater Drainage –

In lieu of requiring that an Act 433 agreement or a drainage district be established with the Kent County Drain Commissioner, Cascade Charter Township has agreed to approve the site plan for the Project so long as the Project (and any and all portions thereof) always complies with the Cascade Charter Township Stormwater Ordinance (as that ordinance may be amended from time to time, as well as any successor ordinance or ordinances). Accordingly, the property owner’s association (the “Association”) and all landowners within the Project (“Co-Owners”) are required to ensure the proper installation and permanent maintenance of any and all storm drainage and water retention systems, pipes, ponds, and facilities for the Project (collectively, the “Facilities”) shown on the approved site plan or as otherwise required by the Cascade Charter Township Stormwater Ordinance (as that ordinance may be amended from time to time, as well as any successor ordinance or ordinances, all of which shall collectively be referred to hereinafter as the “Stormwater Ordinance”). Such requirements and obligations of the Association and Co-Owners include, but are not necessarily limited to, the following:

- 1. Maintenance and repair regarding the following items shall be done on a regular basis and in such fashion as to ensure that all components of the Facilities function properly at all times:
 - (a) Sediment removal;
 - (b) Erosion control;
 - (c) Ensuring constant structural integrity of the physical systems; and
 - (d) Designate access to the facilities.
 - (e) Cleaning of catch basin sumps
 - (f) Sediment and debris removal from the infiltration basin
 - (g) Landscape maintenance of the infiltration basin to maintain the design volume and ensure the system is operating as designed.
 - (h) Other maintenance procedures as outlined by the applicant’s engineer in their letter dated June 4, 2015.

2. The Township (including its designated officials, officers, agents, and contractors) shall have the right to physically inspect all aspects of the Facilities at all reasonable times, or any other times if, in the opinion of the Township, there is a threat to the public health, safety, or welfare.
3. Buildings, structures, landscaping, trees, or similar items shall not be installed, planted, or placed over any portion of the Facilities without prior written Township approval.
4. The Township shall be supplied with an engineer's "as-built" certification to certify that the Facilities as constructed and installed matches the approved design. The Township shall also be supplied with a reduced copy of the approved site plan graphically showing the Facilities, together with any and all easements therefor.
5. The Township shall be supplied with a permanent easement or irrevocable license allowing the Township (as well as its designated officials, officers, agents, and contractors) to have access between the public road right-of-way to any and all portions of the Facilities.
6. Should the Facilities not be properly installed, maintained, and/or repaired, in compliance with all of the requirements of this Section XII.B, the approved site plan, and the Stormwater Ordinance (whether due to the fault or neglect of the developer, the Association, and/or the Co-Owners), and any such noncompliance or deficiency shall not have been fully remedied within 30 days of the date when the Township has given the Association written notice of any such noncompliance or deficiencies, the Township, at its sole option and discretion, shall have the right and authority to perform any and all installations, repairs, and/or maintenance which is reasonably required and charge back the costs thereof to the Association and Co-Owners (together with reasonable administrative costs and legal fees). Should any challenge occur regarding the Township's actions, the following shall be applicable:
 - (a) Establishment of a Special Assessment District. The Township may establish a special assessment district for the Project to pay for or reimburse the Township for any and all such costs (as well as to ensure future required repairs and maintenance) pursuant to whichever state statute the Township desires to utilize. In such event, all of the Co-Owners and the Association shall be deemed to have consented to the establishment of such a special assessment district.
 - (b) Proceeding to Collect Pursuant to the Master Deed and Condominium Documents. Alternately, the Township shall also have the authority to collect or seek reimbursement for any and all

such costs from the Association and Co-Owners as if such obligations of the Association and Co-Owners were in the form of a permanent deed restriction or covenant on the Project. Should the Township pursue this remedy, the Township would have any and all rights attributable to the Association when collecting dues or assessments from Co-Owners. Additionally, such costs shall be a lien on each of the Units, which shall be enforceable in accordance with Act No. 94 of the Public Acts of 1933, as amended from time to time. Any such charges which are delinquent for six (6) months or more may be certified annually to the Township Treasurer, who shall enter the lien on the next tax roll against the applicable Unit, and the costs shall be collected and the lien shall be enforced in the same manner as provided for in the collection of taxes assessed upon the roll in the enforcement of a lien for taxes. In addition to any other lawful enforcement methods, the Township shall have all remedies authorized by Act No. 94 of the Public Acts of 1933, as amended.

The above alternate remedies (being (a) and (b)) shall be deemed to be in addition to any and all other remedies provided for elsewhere in the Master Deed or condominium documents or at law or equity. The Township shall have the sole authority and discretion to determine whether or not to proceed pursuant to (a) or (b), above.

- C. Before construction commences, the Developer shall provide to the Township (and any other applicable governmental units and utilities) all necessary permanent easements within the Project for telephone, telecommunications, 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 XI. Landscape Plan

The landscaping along the perimeter of the site shall be installed and maintained and shall include at a minimum the plantings that are shown on the approved landscaping plan dated 1/22/16.

Section XII. Soil Erosion Control Requirements.

The Developer 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 Project. This plan shall be reviewed and approved by the Township Engineer prior to commencing any excavation on the site. Developer shall comply with any and all licenses, approvals, or permits issued regarding soil erosion control requirements and measures.

Section XIII. Performance Guarantee.

To ensure compliance with this Ordinance, the Cascade Township Zoning Ordinance, and any conditions and requirements herein, the Township may require reasonable performance guarantees to ensure completion of improvements such as, but not limited to, landscaping, drainage, lighting, roads, and utilities. The Township Board, Engineer, or Planning Department may require such guarantees at any time they deem reasonably necessary to ensure completion of the improvements. The form (including the bank or surety involved), duration, and amount of the performance guarantee as shall be approved by the Township.

Section XIV. The Gerald R. Ford International Airport.

Within the recorded Master Deed, the Developer shall expressly disclose in writing that the Project is located in the vicinity of the Gerald R. Ford International Airport and that there may be noise, vibration, and property valuation impacts associated with such location.

Section XV. Consistency of the Master Deed and/or Deed Restrictions/Covenants with the PUD Approval.

If the Project will be a condominium project (in whole or in part), the Master Deed (and attachments) shall be reviewed and approved by the Township Attorney prior to final recording to ensure consistency with this Ordinance. If some or all of the Project will be governed by deed restrictions/restrictive covenants apart from a condominium master deed, such deed restrictions/restrictive covenants shall also be reviewed and approved by the Township Attorney before recording to ensure consistency with this Ordinance.

Section XVI. Consistency With Planned Unit Development (PUD) Standards.

The rezoning to Planned Unit Development will result in a recognizable benefit to the ultimate users of the Project and to the community. Current and future residents will recognize the benefits of a residential development that offers a low-density land use.

In relation to the underlying zoning (PUD), the Township finds the Project will not result in a material increase in the need for public services, facilities and utilities and will not place a material burden upon the subject property and the surrounding properties. The Project is not anticipated to cause undo impact to the stormwater drainage of the surrounding area. All stormwater and soil erosion control plans have been approved by the Township Engineer and the appropriate County and State agencies.

The Project has been determined by the Township to be compatible with the 2009 Comprehensive Plan of the Township and with the spirit and intent of the Planned Unit Development Chapter of the Zoning Ordinance. The Project has been determined to be a "Residential" use, which is consistent with the Cascade Township Comprehensive Plan.

The Township finds the Project will not result in an unreasonable negative economic impact upon surrounding properties.

The Township finds the Project to have at least the same amount of green areas and usable open space than would typically be required by the Township Zoning Ordinance.

This Ordinance also incorporates and adopts the staff comments and conclusions on pages 3-4 of the staff report dated January 7, 2016 as additional findings by the Township Board.

Finally, the Township recognizes the Project will be under single ownership or control. The Township recognizes that the Developer or its assigns will retain ownership and control of the Premises until a majority of the site condominium units are purchased for single family residential purposes.

SECTION XVII. EFFECTIVE DATE.

This Ordinance/Ordinance amendment shall become effective upon the expiration of seven (7) days after publication of this documents (or a summary) in the *Grand Rapids Press*, a newspaper of general circulation within Cascade Charter Township.

The foregoing Ordinance/Ordinance amendment was offered by Board Member Lewis, supported by Board Member Koessel. The roll call vote being as follows:

YEAS: Lewis, Beahan, Goldberg, Koessel, Goodyke

NAYS: Peirce

ABSENT: McDonald

Ron Goodyke
Cascade Charter Township Clerk

CERTIFICATION

I hereby certify the foregoing to be a true copy of an Ordinance/Ordinance amendment adopted at a Regular Meeting of the Cascade Charter Township Board on the 9th day of March, 2016.

Ron Goodyke
Cascade Charter Township Clerk

Applicant Statement:

“Driftwood Ventures has fully read the above PUD ordinance amendment, understands its provisions and fully agrees with all requirements and conditions contained in the same, on behalf of it and its assigns, successors and transferees in and to the property involved.”

Signature _____

Printed Name _____

Date _____

NEDERVELD
 www.nederveld.com
 800.222.1698
GRAND RAPIDS
 200 Franklin Ave. Ste. 202
 Grand Rapids, MI 49503
 Phone: 616.955.6100

AMHERST
 COLUMBUS
 HOUSTON
 INDIANAPOLIS
 ST. LOUIS

PREPARED FOR:
 RUF Ventures
 Tom Gault
 P.O. Box 441
 Ash, MI 49800
 Phone: 516.581.9744

REVISIONS:

Rev.	Date	Description
1	11/21/15	Final
2	11/23/15	Final
3	11/23/15	Final
4	11/23/15	Final
5	11/23/15	Final
6	11/23/15	Final
7	11/23/15	Final
8	11/23/15	Final
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96	11/23/15	Final
97	11/23/15	Final
98	11/23/15	Final
99	11/23/15	Final
100	11/23/15	Final

ROUND HILL
 Preliminary Utility Plan
 3000 Thornhill Ave. SE
 PART OF THE NORTHWEST 1/4 OF SECTION 18, T34N, R10W,
 CASCADE TOWNSHIP, KENT COUNTY, MICHIGAN

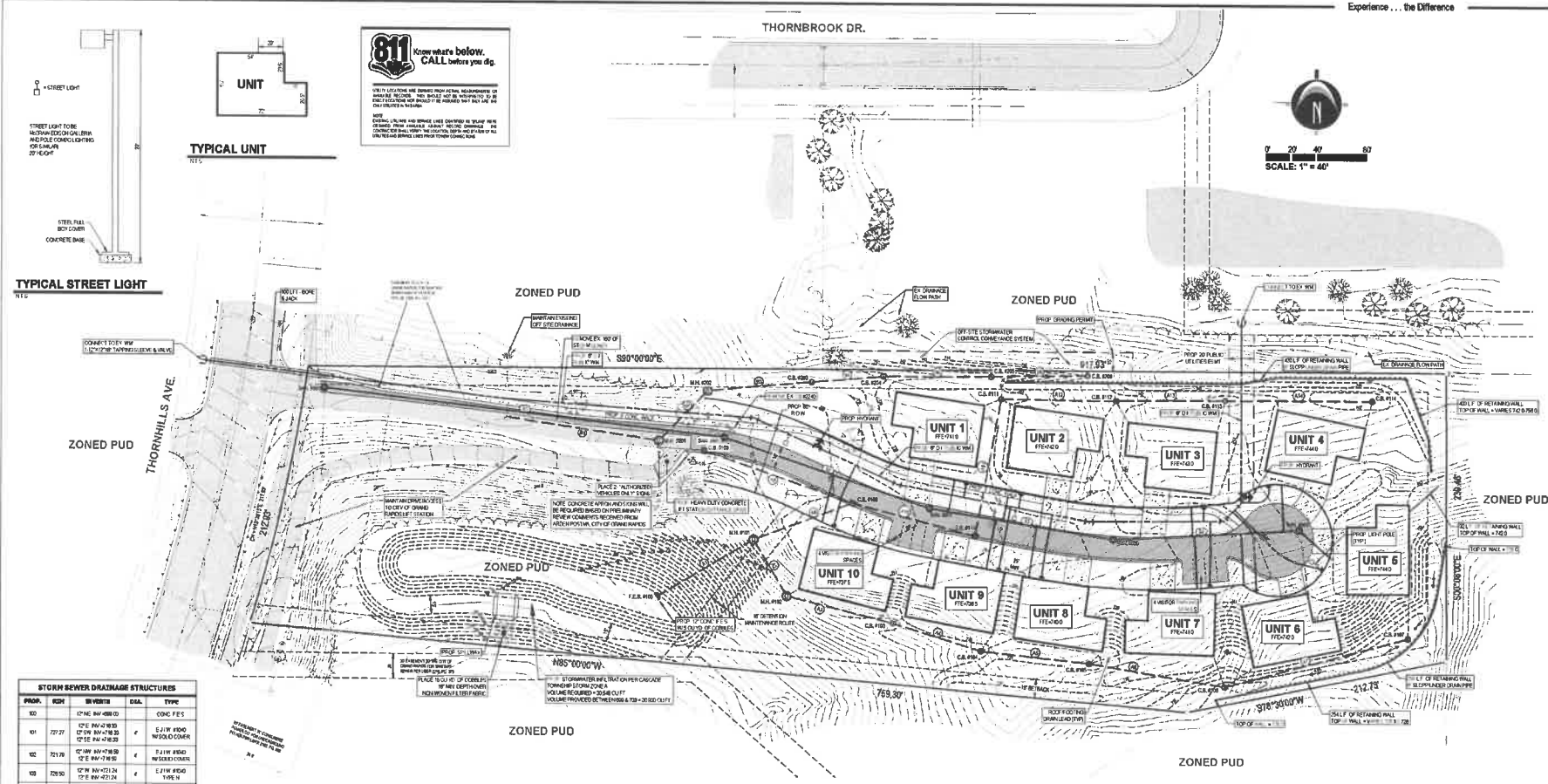
STAMP:

STATE OF MICHIGAN
 KYLE D. WILSON
 ENGINEER
 No. 37827
 PROFESSIONAL REGISTERED

Kyle D. Wilson

PROJECT NO:
 14401335

SHEET NO:
C-205



STORM SEWER DRAINAGE STRUCTURES

PROJ.	RUN	INVERT	DIAL.	TYPE
100	12" MC 400-10	1.00	1.00	CONC FES
101	12" MC 400-10	1.00	1.00	CONC FES
102	12" MC 400-10	1.00	1.00	CONC FES
103	12" MC 400-10	1.00	1.00	CONC FES
104	12" MC 400-10	1.00	1.00	CONC FES
105	12" MC 400-10	1.00	1.00	CONC FES
106	12" MC 400-10	1.00	1.00	CONC FES
107	12" MC 400-10	1.00	1.00	CONC FES
108	12" MC 400-10	1.00	1.00	CONC FES
109	12" MC 400-10	1.00	1.00	CONC FES
110	12" MC 400-10	1.00	1.00	CONC FES
111	12" MC 400-10	1.00	1.00	CONC FES
112	12" MC 400-10	1.00	1.00	CONC FES
113	12" MC 400-10	1.00	1.00	CONC FES
114	12" MC 400-10	1.00	1.00	CONC FES
201	12" MC 400-10	1.00	1.00	CONC FES
202	12" MC 400-10	1.00	1.00	CONC FES
203	12" MC 400-10	1.00	1.00	CONC FES
204	12" MC 400-10	1.00	1.00	CONC FES
205	12" MC 400-10	1.00	1.00	CONC FES
206	12" MC 400-10	1.00	1.00	CONC FES
207	12" MC 400-10	1.00	1.00	CONC FES
208	12" MC 400-10	1.00	1.00	CONC FES
209	12" MC 400-10	1.00	1.00	CONC FES
210	12" MC 400-10	1.00	1.00	CONC FES

STORM SEWER DRAINAGE PIPES

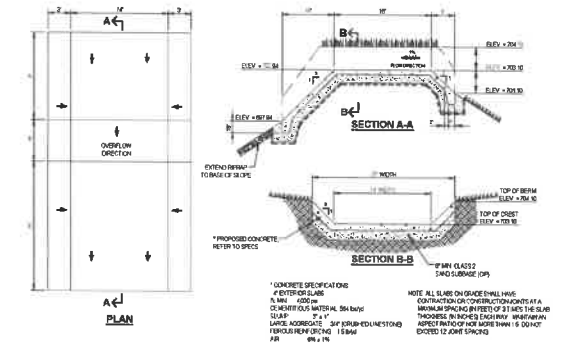
#	LENGTH	DIAL.	SLOPE	MATERIAL
A1	88'	12"	2.00%	SDCIPP
A2	53'	12"	0.96%	SDCIPP
A3	88'	12"	3.00%	SDCIPP
A4	74'	12"	0.96%	SDCIPP
A5	88'	12"	3.00%	SDCIPP
A6	111'	12"	0.96%	SDCIPP
A7	102'	12"	0.96%	SDCIPP
A8	88'	12"	3.00%	SDCIPP
A9	127'	12"	0.96%	SDCIPP
A10	102'	12"	3.00%	SDCIPP
A11	110'	12"	2.00%	SDCIPP
A12	88'	12"	3.00%	SDCIPP
A13	88'	12"	1.00%	SDCIPP
A14	148'	12"	1.00%	SDCIPP
B1	124'	12"	3.00%	SDCIPP
B2	58'	12"	2.00%	SDCIPP
B3	84'	12"	3.00%	SDCIPP
B4	28'	12"	2.00%	SDCIPP
B5	27'	12"	2.00%	SDCIPP
B6	78'	12"	0.96%	SDCIPP

SANITARY SEWER STRUCTURES

PROJ.	RUN	INVERT	DIAL.
101	750.55	1.00	1.00
102	750.55	1.00	1.00
103	750.55	1.00	1.00
104	142.10	1.00	1.00

SANITARY SEWER PIPES

#	LENGTH	DIAL.	SLOPE	MATERIAL
11	204'	8"	3.75%	SDCIPP
12	175'	8"	2.25%	SDCIPP
13	160'	8"	2.25%	SDCIPP
14	80'	8"	2.25%	SDCIPP



CONCRETE SPILLWAY DETAIL FOR DETENTION BASIN

LAND USE SUMMARY

- SIZE OF SITE = 5.54 ACRES
- PROPOSED USE = SINGLE FAMILY RESIDENTIAL
- NUMBER OF UNITS = 10
- TOTAL OPEN SPACE = 1.2 ACRES

LEGEND

- EXISTING BOUNDARIES
- PROPOSED BOUNDARIES
- PROPOSED DUTY
- PROPOSED DUTY (STANDARD DUTY)
- PROPOSED DUTY (HEAVY DUTY)

NOTES

- PUBLIC UTILITIES AND SERVICES IN ACCORDANCE WITH CITY OF GRAND RAPIDS PUBLIC UTILITY ORDINANCE REGULATIONS.
- EXISTING BOUNDARIES IN ACCORDANCE WITH CADASTRAL TOWNSHIP OF CASCADE TOWNSHIP, KENT COUNTY, MICHIGAN. ALL BOUNDARIES SHALL BE VERIFIED AND CORRECTED TO THE BOUNDARY SURVEY.
- ONE EXISTING POWER POLE SHALL BE MAINTAINED AND SHALL BE MAINTAINED WITHIN THE BOUNDARY SURVEY. ALL OTHER EXISTING POWER POLES SHALL BE REMOVED AND SHALL BE REPLACED TO COMPLY WITH CITY OF GRAND RAPIDS REGULATIONS.
- IF PROPOSED PROJECT WILL BE BUILT IN ONE PHASE WITH CONSTRUCTION SCHEDULING DEPENDING UPON DEPT OF PERMITS AND APPROVED CONSTRUCTION PERMITS SHALL BE OBTAINED.
- PROPOSED TOWNSHIP UTILITIES SHALL BE MAINTAINED AND SHALL BE MAINTAINED WITHIN THE BOUNDARY SURVEY.



18' WIDE PRIVATE ROAD CROSS SECTION

Wednesday
May 7, 2019

Mr. Steve Peterson- Community Development Director
Mr. John Sperla- Cascade Planning Chairman
Members of the Cascade Planning Commission
2865 Thornhills Ave. SE
Grand Rapids MI 49546-7192

Re: Requested ROUND HILL PUD AMENDMENT
Case # 19-3527: Decks on Homes Request

To the Cascade Township Planning Commission;

Yesterday I received an invitation to a planning commission hearing regarding the above matter, since I am an adjacent land owner to Round Hill PUD. As all of you know, I have a four year involvement with this development, noting many of the ordinance and code issues that have arisen with this development. Last week, I had a meeting with Mr. Peterson, Wayne Harrall of the KCRC, and Mr. Tom Giusti as the Round Hill representative. Many crucial open issues were discussed at this meeting, with no definitive agreement on a number of issues.

What spurred the reason for this meeting was the near completion of the first home in this development, any a number of issues of potential liability for all involved with this development, including Cascade Township. My concern is that the Township's potential liability will increase substantially, as an occupancy permit is given on this home, wherein the Township must certify that this home and the Round Hill PUD development had been constructed according to the PUD approved by the Cascade Township Planning Commission in January 2016, and by the Trustees several months later.

To avoid this dilemma and potential liability, the Cascade Planning Commission must review and address the substantial elements of the actual construction which are at variance with the approval. The Planning Commission must then issue recommendations for action by the Board. The issues are very substantial, and all involved with the development have made aware of these problems over the last two years, but no action has yet been taken. To assist the Planning Commission in reviewing the issues, I have attached a copy of the ordinance which was approved by you in 2016 [Reference 01-10 attached]. I have also included pertinent Township procedures and ordinances references [References 11-14].

The PUD violations, in order of their occurrence during development/construction are;

1. NO PERMANENT/TEMPORARY SOIL CONTROL PLAN WAS SUBMITTED OR APPROVED

- a. The Cascade Procedures Manual 16.4.h [See Reference 14] requires this plan, and none was provided for either the PUD approved original design or the unapproved actual site development plan.
- b. In Fall 2018, major breaches in the Round Hill perimeter soil erosion control led to sediment getting onto adjacent properties, and into the Thornapple River. KCRC called in the soil erosion bond and did an excellent of coordinating and implementing repairs on my land and that of Sentinel Pointe.

2. PUD APPROVED SITE DEVELOPMENT PLAN COMPLETELY CHANGED IN CONSTRUCTION

During the Planning and Board approval of this PUD, I made a number of presentation pointing out that there were two major elements in the Round Hill Site Plan which were not legal. These elements were;

- a. The site design had approximately 700 LF of high concrete retaining within the property line setback. These walls could not be located within the setbacks. I have attached one of the three legal opinions on this matter that supported my case. See Reference 15-16 from Varnum Law, who is currently Cascade's legal counsel.
- b. The site design had a detention pond, with overflow onto adjacent property. Without a legal easement from the adjacent owner [Sentinel Pointe refused the request] the detention pond was not per code.

The Planners and the Board did not choose to recognize these issues and the plan PUD was approved with the above deficiencies. However, when construction started in Spring 2017, it appeared that Round Hill recognized that they would have to substitute a retention pond, without overflow. A retention pond was built in lieu of a detention pond with overflow. **A retention pond must have twice the capacity of a detention pond.** This substantially altered the grading plan and site plan for the PUD.

Likewise, as sitework continued in Summer 2017, Round Hill also came to the realization that the retaining walls with the setback were indeed illegal, since the site grades were completely changed, and with major consequences the site being raised 3'-4' and major 45 degree slopes were created at the south and east property lines.

Round Hill PUD should have submitted for a revised PUD, which would have likely reduced the number of homes allowed from 10 to 7-8. However, not only did Round Hill not request a review, but no revised drawings were made available to my attorney or MDEQ in 2017 to even understand all of the changes being made. Furthermore, the soil erosion permit was issued based upon the PUD approved drawings, and no revised PUD soil erosion permit was ever requested or approved. The PUD Ordinance approval Section V *Approval Limitations*, Articles A, D, E, and G have been violated [See Reference 2-3]. In addition, Section XI Soil Erosion Control Requirements has been violated [See Reference 8]

3. THE RECENTLY COMPLETED HOME SIZE HAS VIOLATED THE PUD APPROVAL REQUIREMENTS

The model house currently on the site has a footprint 15% larger than the PUD house design, as a result of changing from a two-stall to three-stall garage. See Reference 10, which shows the maximum house size. **This different design and size requires a PUD variance request and cannot be approved by the Community Development Director, but must be submitted to the planning commission for review and approval recommendation [See References 11-13].** In addition the site plan has 50% increased driveway concrete and less green space. **The current design violates the PUD Ordinance Approval Section VII Design Guidelines, Subsection C1 Setback Requirements [See Reference 4]**

4. **THE RECENTLY COMPLETED HOME DECK REQUIRES PLANNING COMMISSION APPROVAL**

This action has been requested and is the reason for this meeting and review. I would note to the Planning Commission, that the added home size in Item 3 already stretches the limit for house size when all side/front/rear house setbacks are only 15'. **To approve a large deck in addition, should be accompanied by the Planning Commission reducing the total number of houses on the site from 10 to 7.**

There is also a much larger than normal deck on the back of the model house. I have assumed that this design will be used on all Round Hill houses. With this larger footprint, there must be at least 1-2 less houses on the site.

5. **THE PUD MANDATED LANDSCAPE BUFFER CANNOT BE INSTALLED AS REQUIRED**

The Board of Trustees made a landscape buffer as part of the PUD approval. [See References 17-19]. Because the grades caused by issues in Item 2 above, the Landscape Buffer cannot be installed as required. In meeting with Round Hill and Mr. Peterson last week, we reached a verbal agreement on where to put this buffer. **The Planning Commission should direct Round Hill to submit a revised landscape buffer plan. In addition the amount of the landscape buffer trees should be doubled, because of the issues presented herein.**

6. **SITE FILL WAS IMPROPERLY COMPACTED AT SOUTH PROPERTY UNIT LOCATIONS**

As a professional engineer and adjacent landowner, I personally observed much of the cut/fill process in 2017, and fill was not installed or compacted per accepted state requirements, or as required by the PUD approval. This will cause problems with several building at the south property which are on large fill areas. In a meeting with Mr. Peterson and Mr. Borrovoets[FTC&H] last week, it was agreed that borings would be required on a building with substantial fill. **The Planning Commission should make this a condition of a revised PUD approval.**

In conclusion, many of you on the Planning Commission know that I have spent many 100s of hours trying unsuccessfully to prevent the mistakes noted above from occurring, and I have a legal file 7"-8" high with documenting evidence. I have represented not only myself, but Sentinel Pointe, and other Thornapple residents in this and it is certainly a black mark for Cascade Township and professionals who designed or approved of this state of affairs. I am sure the planning commission will come to this same conclusion.

With that being said, the Planning Commission and all those I represent realize that nothing would be gaining by stopping this project legally inspite of bad intentions by some. It won't bring back trees that are gone. **Even with the number of gross violations noted above, I believe it is in all of our interests to have the Planning Commission make a recommendation, as part of a revised PUD approval request [which Round Hill PUD must formally request], that the PUD be revised and approved with the following conditions;**

1. There should only be seven [7] of the larger houses with three stall garages and decks. With the revised grades, larger retention pond, excessive grades at the south property line, and larger house footprints; this site can take no more density. Also, as noted in my meeting at the township last week, the larger houses/3 stall garages sales prices must be accompanied by side setbacks wider than 15'

2. No houses are to be located in areas considered to have potential soil settlement/erosion issues and steep slopes at the south property line..
3. A landscape buffer area, at the south property line, in the mid-level flat area of 45 degree slopes, should have \$25,000 minimum landscaping.
4. .As mentioned above, part of any agreement would include that the permanent soil erosion at the south property line and east of Model Unit 8, be installed no later than September 2019.

I have attached a proposed layout which I discussed with KCRC last month, and forwarded it to Mr. Peterson for his review at that time. A revised Cascade Planning Commission recommendation for a plan with those characteristics is something that would gain Cascade Township respect that it had lost up to this point because of the violations. More importantly, it would eliminate potential liability and legal challenge possibilities.

Respectfully Submitted;

A handwritten signature in black ink that reads "Mark Douglas Rohde".

Mark Douglas Rohde PE
3087 Thornapple River Dr. SE
Grand Rapids, MI
Concerned Cascade Thornapple Homeowners Group [CCTHG]
Sentinel Pointe Retirement Community

CASCADE CHARTER TOWNSHIP

Ordinance of 2016

AN ORDINANCE TO Amend the
Sentinel Pointe
Ordinance #1 of 1980
as amended by Ord No 6 of 1984
PLANNED UNIT DEVELOPMENT PROJECT.

CASCADE CHARTER TOWNSHIP ORDAINS:

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

The application received from Driftwood Ventures or its assigns (hereafter referred to as the "Developer") is to amend the Sentinel Pointe Planned Unit Development to replace the 40 unit elderly housing facility with a ten unit single family residential development called Roundhill (hereinafter referred to as the "Project"). The existing 154 unit retirement facility is not part of this amendment. The project was recommended by the Cascade Charter Township Planning Commission for approval on _____, to amend the current PUD, Planned Unit Development. Approval of the proposed PUD amendment requires an amendment to the Cascade Charter Township Zoning Ordinance and Zoning Map to incorporate the Planning Commission's recommendations and the final actions of the Cascade Charter Township Board on _____.

SECTION II. LEGAL DESCRIPTION.

- 1. Ten unit condominium project - Roundhill

PART OF NW 1/4 COM AT NW COR OF SEC TH 90D 00M 00S E ALONG N SEC LINE 1475.51 FT TO E LINE OF LOT 7 OF ARDEN HILLS PLAT EXT N TH S 0D 08M 00S E ALONG SD EXT E LOT LINE & SD E LOT LINE & SD E LOT LINE EXT S 0D 08M 00S E 1125.46 FT TO BEG OF THIS DESC - TH S 78D 30M 00S W 212.73 FT TH N 85D 00M 00S W 759.30 FT TO ELY LINE OF THORNHILLS AVE /100 FT WIDE/ TH NLY ALONG ELY LINE OF SD AVE TO A PT 895 FT S FROM N SEC LINE TH E PAR WITH N SEC LINE TO E LINE OF SD LOT 7 EXT S TH S 0D 08M 00S E ALONG SD EXT E LOT LINE TO BEG * SEC 16 T6N R10W 5.24 A.

- 2. Existing 154 unit retirement home

411916103012 PART OF NW 1/4 COM AT NW COR OF SEC TH 90D 00M E ALONG N SEC LINE 1475.51 FT TO E LINE OF LOT 7 OF ARDEN HILLS EXT N TH S 00D 08M E ALONG SD EXT E LOT LINE TO CL OF THORNAPPLE RIVER DR TH S 63D 15M 32S W 234.98 FT TH S 46D 34M 38S W 129.5 FT

TO BEG OF THIS DESC- TH N 45D 00M W 275.0 FT TH N 49D 00M E 175.0 FT TH N 57D 00M E 187.47 FT TH N 85D 00M W 759.30 FT TO ELY LINE OF THORNHILLS AVE /100 FT WIDE/ TH SWLY ALONG SD ELY LINE TO A PT 288.23 FT N FROM E&W 1/4 LINE TH E 10 FT TH S 24.21 FT TO N LINE OF S 264 FT OF NW 1/4 TH E ALONG SD N LINE TO CL OF THORNAPPLE RIVER DR TH NELY ALONG SD CL TO BEG * SEC 16 T6N R10W 18.25 A.

SECTION III. GENERAL PROVISIONS.

The conditions, requirements, and regulations contained in this document shall apply to the Project in addition to those requirements and regulations contained in Chapter XVI of the Cascade Charter Township Zoning Ordinance (Ordinance No. 11 of 1988).

SECTION IV. PURPOSE.

The Project occupies approximately 5.24 acres of land that is proposed to be developed as a 10 unit single family residential condominium development. The Planned Unit Development technique has been chosen by the Developer to provide more control over the development's aesthetics and appearance.

The conditions, requirements, and regulations contained in this document are established to ensure high quality development of the Project. Additionally, they are designed to achieve integration of this development with adjacent and area land uses.

SECTION V. APPROVAL LIMITATIONS.

- A. The provisions of this Ordinance/Ordinance amendment ("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 otherwise expressly provided herein. In the event that a development issue or site plan element is not expressly addressed by this Ordinance, the specifications and requirements of the Cascade Charter Township Zoning Ordinance shall apply. Furthermore, all other applicable Cascade Charter Township ordinances shall still govern the Project where applicable.
- B. Except as expressly otherwise provided herein, the Developer and its assigns must meet all applicable provisions, ordinance requirements, and regulations of Cascade Charter Township, as well as federal, county, and state law, and must obtain all necessary approvals from state and county governmental agencies that are required for construction, operation, or use.
- C. This PUD approval is expressly contingent upon all conditions of approval herein remaining fully effective and valid. If any condition imposed herein is determined to be invalid, illegal or contrary to law as a result of a successful legal challenge by the Developer or its assigns, or any other party, the Township reserves the right to review the entire Project under the PUD provisions of the Cascade Charter Township Zoning Ordinance, and further, to withdraw its

approval of this PUD if the Township finds that, absent the effect of any condition imposed herein, the PUD no longer meets the standards for PUD approval contained in the Zoning Ordinance.

- D. All conditions contained herein and in the final approved site plan shall be binding upon the Developer, as well as its successors, tenants and assigns. The conditions may be modified or amended only pursuant to a formal amendment of the PUD approval, approved site plan, and ordinance amendment. The Project must be constructed, operated and maintained, and all properties therein used, in strict compliance with the PUD approval (including this Ordinance and the final approved site plan), and no deviations can occur without prior formal written approval by the Township. So-called minor deviations shall not occur or be made unilaterally by the Developer or its successors, tenants, or assigns. Any deviation without prior formal written approval by the Township will constitute a violation of this Ordinance and the Cascade Charter Township Zoning Ordinance.
- E. This approval document shall be recorded with the Kent County Register of Deeds by the Developer prior to construction occurring on site and shall run with and bind the lands involved. Copies of this recorded document shall be supplied by the Developer to the Cascade Charter Township Clerk.
- F. Failure to comply with the site plan or any condition of approval herein shall be deemed to be both a nuisance per se and a violation of the Cascade Charter Township Zoning Ordinance.
- G. Prior to recording a copy of this document as specified in Section V(E) hereof, the Developer shall type the following statement onto the end of this document (or add an additional page to the document) as follows, and shall sign and date the same:

"Driftwood Ventures has fully read the above PUD ordinance amendment, understands its provisions and fully agrees with all requirements and conditions contained in the same, on behalf of it and its assigns, successors and transferees in and to the property involved."

SECTION VI. PERMITTED USES.

The permitted uses for the Sentinel Pointe PUD are as follows:

- A. 10 Single Family Residences - Roundhill
- B. The Existing 154 unit retirement facility – Sentinel Pointe
- C. Signs. All signs for the Project shall conform with Section 6.02 of the Cascade Charter Township Sign Ordinance (Ordinance 14 of 1997, as amended).

Section VII. Design Guidelines, Requirements and Limitations.

The Project shall be developed in exact accordance with the site plan approved by the Township. No alterations, expansions or additions may occur as to the Project without a formal amendment to this Ordinance, unless expressly otherwise authorized herein.

- A. Maximum Number of Residential Units
 - 1. Roundhill – Ten (10) single-family detached condominium units.
 - 2. Existing retirement facility - 154
- B. Maximum Building or Structure Height
 - 1. Roundhill – 35 feet or two and a half stories whichever is less
 - 2. Existing retirement facility – as constructed
- C. Setback Requirements
 - 1. Roundhill - All condominium buildings and structures shall be placed within the building footprint area as shown on the final approved site plan dated _____.
 - 2. Existing retirement facility – as constructed
- D. Minimum Floor Area
 - 1. Roundhill -Each dwelling on a condominium unit shall contain a minimum of:
 - (a) One Story: 1300 square feet on the main floor, finished livable area above grade level, exclusive of garages, decks, porches and breezeways.
 - (b) Two Story: 1600 square feet, with a minimum of 800 square feet on the first floor, finished livable area above grade level, exclusive of garages, decks, porches and breezeways.
 - 2. Existing retirement facility
 - (a) As constructed

Section VIII. Private Street Development - Roundhill.

- A. The Developer shall submit to the Township a street construction, maintenance, and pavement plan consistent with Section 16.11(4)(f) of the Zoning Ordinance. The Developer may establish private streets to serve the Project provided the roads are constructed in accordance with the "Cascade Charter Township Engineering Design Requirements and Standards for Private Streets" and the following specifications:
1. The road grades shall not exceed a six percent (6%) grade. All grades shall be sufficient to allow safe ingress/egress of emergency vehicles.
 2. The private streets shall be posted with signs stating the street names. These signs shall be consistent with Kent County Road Commission standards and requirements and shall be installed at the Developer's cost.
 3. Any private street shall intersect any public road at a 90 degree angle.
 4. Copies of any permits required by the Kent County Road Commission to connect the private street to any public road shall be provided to the Township Planning Department by the Developer.
- B. In accordance with Section G of the "Cascade Charter Township Engineering Design Requirements and Standards for Private Streets," the Developer of the Project shall provide a disclosure statement on all property deeds to all owners of the private street, all those who utilize the private street and all persons securing a building permit to construct a building or structure served by the private street, stating that by applying for and securing a building permit for construction of a building or structure that utilizes the private street, all such persons shall use the private street at their own risk and the Township (and its employees, officials, and agents) shall not be responsible for any aspect of the private street.
- C. In accordance with Section I of the "Cascade Charter Township Engineering Design Requirements and Standards for Private Streets," it shall be the responsibility of the Developer and its successors or the individual property owners to fully maintain and keep the private streets in good repair at all times and to ensure that snow and ice is removed in a timely fashion during the winter.
- D. No building may be erected within the Project until a temporary access road is constructed to within 100 feet of the furthest point of a structure. Such road shall be a minimum 18 feet wide and be able to support 20 tons on a single axle with dual wheels and standard road tires.

Section IX. Temporary Buildings.

No structure of a temporary nature, including, but not limited to, any trailer, tent or construction shack shall be constructed, placed or maintained within the Project except lawfully accessory to and during construction of any building or infrastructure improvement.

Section X. Utilities.

A. **Water and Sewer** – The individual units in the Project will be served by public water and sewer. Such systems shall be designed, installed, and approved by Cascade Township and the City of Grand Rapids.

B. **Stormwater Drainage** –

In lieu of requiring that an Act 433 agreement or a drainage district be established with the Kent County Drain Commissioner, Cascade Charter Township has agreed to approve the site plan for the Project so long as the Project (and any and all portions thereof) always complies with the Cascade Charter Township Stormwater Ordinance (as that ordinance may be amended from time to time, as well as any successor ordinance or ordinances). Accordingly, the property owner's association (the "Association") and all landowners within the Project ("Co-Owners") are required to ensure the proper installation and permanent maintenance of any and all storm drainage and water retention systems, pipes, ponds, and facilities for the Project (collectively, the "Facilities") shown on the approved site plan or as otherwise required by the Cascade Charter Township Stormwater Ordinance (as that ordinance may be amended from time to time, as well as any successor ordinance or ordinances, all of which shall collectively be referred to hereinafter as the "Stormwater Ordinance"). Such requirements and obligations of the Association and Co-Owners include, but are not necessarily limited to, the following:

1. Maintenance and repair regarding the following items shall be done on a regular basis and in such fashion as to ensure that all components of the Facilities function properly at all times:

- (a) Sediment removal;
- (b) Erosion control;
- (c) Ensuring constant structural integrity of the physical systems; and
- (d) Designate access to the facilities.
- (e) Cleaning of catch basin sumps
- (f) Sediment and debris removal from the infiltration basin
- (g) Landscape maintenance of the infiltration basin to maintain the design volume and ensure the system is operating as designed.
- (h) Other maintenance procedures as outlined by the applicant's engineer in their letter dated June 4, 2015.

2. The Township (including its designated officials, officers, agents, and contractors) shall have the right to physically inspect all aspects of the Facilities at all reasonable times, or any other times if, in the opinion of the Township, there is a threat to the public health, safety, or welfare.
3. Buildings, structures, landscaping, trees, or similar items shall not be installed, planted, or placed over any portion of the Facilities without prior written Township approval.
4. The Township shall be supplied with an engineer's "as-built" certification to certify that the Facilities as constructed and installed matches the approved design. The Township shall also be supplied with a reduced copy of the approved site plan graphically showing the Facilities, together with any and all easements therefor.
5. The Township shall be supplied with a permanent easement or irrevocable license allowing the Township (as well as its designated officials, officers, agents, and contractors) to have access between the public road right-of-way to any and all portions of the Facilities.
6. Should the Facilities not be properly installed, maintained, and/or repaired, in compliance with all of the requirements of this Section XII.B, the approved site plan, and the Stormwater Ordinance (whether due to the fault or neglect of the developer, the Association, and/or the Co-Owners), and any such noncompliance or deficiency shall not have been fully remedied within 30 days of the date when the Township has given the Association written notice of any such noncompliance or deficiencies, the Township, at its sole option and discretion, shall have the right and authority to perform any and all installations, repairs, and/or maintenance which is reasonably required and charge back the costs thereof to the Association and Co-Owners (together with reasonable administrative costs and legal fees). Should any challenge occur regarding the Township's actions, the following shall be applicable:
 - (a) Establishment of a Special Assessment District. The Township may establish a special assessment district for the Project to pay for or reimburse the Township for any and all such costs (as well as to ensure future required repairs and maintenance) pursuant to whichever state statute the Township desires to utilize. In such event, all of the Co-Owners and the Association shall be deemed to have consented to the establishment of such a special assessment district.
 - (b) Proceeding to Collect Pursuant to the Master Deed and Condominium Documents. Alternately, the Township shall also have the authority to collect or seek reimbursement for any and all

such costs from the Association and Co-Owners as if such obligations of the Association and Co-Owners were in the form of a permanent deed restriction or covenant on the Project. Should the Township pursue this remedy, the Township would have any and all rights attributable to the Association when collecting dues or assessments from Co-Owners. Additionally, such costs shall be a lien on each of the Units, which shall be enforceable in accordance with Act No. 94 of the Public Acts of 1933, as amended from time to time. Any such charges which are delinquent for six (6) months or more may be certified annually to the Township Treasurer, who shall enter the lien on the next tax roll against the applicable Unit, and the costs shall be collected and the lien shall be enforced in the same manner as provided for in the collection of taxes assessed upon the roll in the enforcement of a lien for taxes. In addition to any other lawful enforcement methods, the Township shall have all remedies authorized by Act No. 94 of the Public Acts of 1933, as amended.

The above alternate remedies (being (a) and (b)) shall be deemed to be in addition to any and all other remedies provided for elsewhere in the Master Deed or condominium documents or at law or equity. The Township shall have the sole authority and discretion to determine whether or not to proceed pursuant to (a) or (b), above.

- C. Before construction commences, the Developer shall provide to the Township (and any other applicable governmental units and utilities) all necessary permanent easements within the Project for telephone, telecommunications, 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 XI. Soil Erosion Control Requirements.

The Developer 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 Project. This plan shall be reviewed and approved by the Township Engineer prior to commencing any excavation on the site. Developer shall comply with any and all licenses, approvals, or permits issued regarding soil erosion control requirements and measures.

Section XII. Performance Guarantee.

To ensure compliance with this Ordinance, the Cascade Township Zoning Ordinance, and any conditions and requirements herein, the Township may require reasonable performance guarantees to ensure completion of improvements such as, but not limited to, landscaping, drainage, lighting, roads, and utilities. The Township Board, Engineer, or Planning Department may require such guarantees at any time they deem reasonably necessary to ensure completion of

Finally, the Township recognizes the Project will be under single ownership or control. The Township recognizes that the Developer or its assigns will retain ownership and control of the Premises until a majority of the site condominium units are purchased for single family residential purposes.

SECTION XVI. EFFECTIVE DATE.

This Ordinance/Ordinance amendment shall become effective upon the expiration of seven (7) days after publication of this documents (or a summary) in the *Grand Rapids Press*, a newspaper of general circulation within Cascade Charter Township.

The foregoing Ordinance/Ordinance amendment 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/Ordinance amendment adopted at a Regular Meeting of the Cascade Charter Township Board on the ___th day of _____, 2015.

Ron Goodyke
Cascade Charter Township Clerk

Applicant Statement:

"Driftwood Ventures has fully read the above PUD ordinance amendment, understands its provisions and fully agrees with all requirements and conditions contained in the same, on behalf of it and its assigns, successors and transferees in and to the property involved."

Signature _____

Printed Name _____

Date _____



GRAND RAPIDS
ANN ARBOR
CHICAGO
COLUMBIASVILLE
EVANSTON
FLORHAM PARK
GAITHERSBURG
HUNTSVILLE
INDIANAPOLIS
JANESVILLE
KANSAS CITY
LANSING
MADISON
MILWAUKEE
MINNEAPOLIS
MONTICELLO
MOUNTAIN VIEW
NAPERVILLE
OAK BROOK
OAK LAKE
OAK RIDGE
OAKVILLE
OFA
PATERSON
PISCATAWAY
PLYMOUTH
RICHMOND HILL
ROSELAND
ROSELLEN
ROSELTON
ROSELVALE
ROSELWOOD
ROSELWOOD PARK
ROSELWOOD PARK II
ROSELWOOD PARK III
ROSELWOOD PARK IV
ROSELWOOD PARK V
ROSELWOOD PARK VI
ROSELWOOD PARK VII
ROSELWOOD PARK VIII
ROSELWOOD PARK IX
ROSELWOOD PARK X
ROSELWOOD PARK XI
ROSELWOOD PARK XII
ROSELWOOD PARK XIII
ROSELWOOD PARK XIV
ROSELWOOD PARK XV
ROSELWOOD PARK XVI
ROSELWOOD PARK XVII
ROSELWOOD PARK XVIII
ROSELWOOD PARK XIX
ROSELWOOD PARK XX
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ROSELWOOD PARK XXIII
ROSELWOOD PARK XXIV
ROSELWOOD PARK XXV
ROSELWOOD PARK XXVI
ROSELWOOD PARK XXVII
ROSELWOOD PARK XXVIII
ROSELWOOD PARK XXIX
ROSELWOOD PARK XXX

PREPARED FOR:
P.O. Box 88
1000 N. 10th St.
Farmington, MN 55030

REVISIONS:

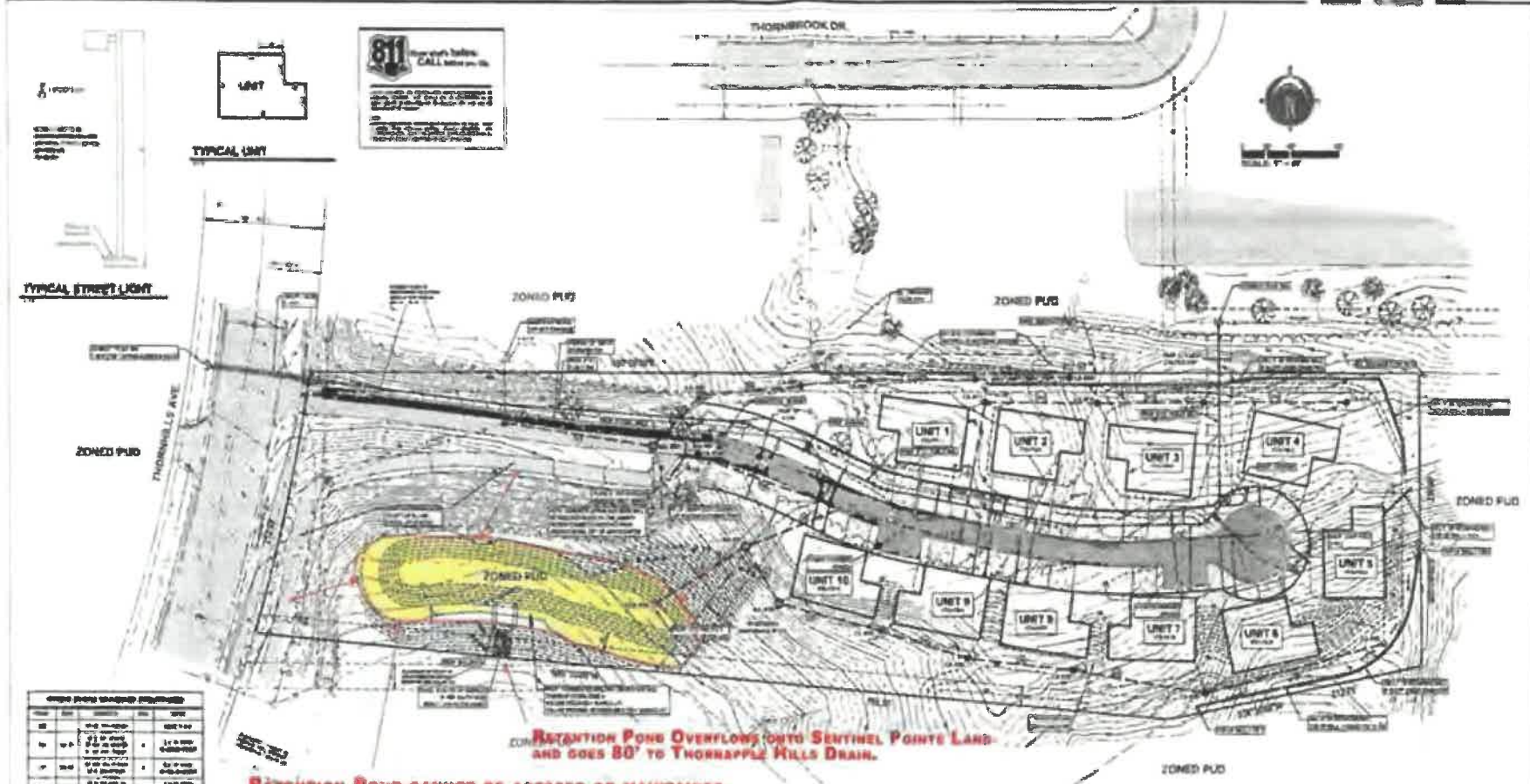
NO.	DATE	DESCRIPTION
1	10/15/03	ISSUED FOR PERMIT
2	10/20/03	REVISIONS TO PERMIT
3	10/25/03	REVISIONS TO PERMIT
4	11/05/03	REVISIONS TO PERMIT
5	11/15/03	REVISIONS TO PERMIT
6	11/25/03	REVISIONS TO PERMIT
7	12/05/03	REVISIONS TO PERMIT
8	12/15/03	REVISIONS TO PERMIT
9	12/25/03	REVISIONS TO PERMIT
10	01/05/04	REVISIONS TO PERMIT
11	01/15/04	REVISIONS TO PERMIT
12	01/25/04	REVISIONS TO PERMIT
13	02/05/04	REVISIONS TO PERMIT
14	02/15/04	REVISIONS TO PERMIT
15	02/25/04	REVISIONS TO PERMIT
16	03/05/04	REVISIONS TO PERMIT
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20	04/15/04	REVISIONS TO PERMIT
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37	10/05/04	REVISIONS TO PERMIT
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40	11/05/04	REVISIONS TO PERMIT
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65	07/15/05	REVISIONS TO PERMIT
66	07/25/05	REVISIONS TO PERMIT
67	08/05/05	REVISIONS TO PERMIT
68	08/15/05	REVISIONS TO PERMIT
69	08/25/05	REVISIONS TO PERMIT
70	09/05/05	REVISIONS TO PERMIT
71	09/15/05	REVISIONS TO PERMIT
72	09/25/05	REVISIONS TO PERMIT
73	10/05/05	REVISIONS TO PERMIT
74	10/15/05	REVISIONS TO PERMIT
75	10/25/05	REVISIONS TO PERMIT
76	11/05/05	REVISIONS TO PERMIT
77	11/15/05	REVISIONS TO PERMIT
78	11/25/05	REVISIONS TO PERMIT
79	12/05/05	REVISIONS TO PERMIT
80	12/15/05	REVISIONS TO PERMIT
81	12/25/05	REVISIONS TO PERMIT
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91	04/05/06	REVISIONS TO PERMIT
92	04/15/06	REVISIONS TO PERMIT
93	04/25/06	REVISIONS TO PERMIT
94	05/05/06	REVISIONS TO PERMIT
95	05/15/06	REVISIONS TO PERMIT
96	05/25/06	REVISIONS TO PERMIT
97	06/05/06	REVISIONS TO PERMIT
98	06/15/06	REVISIONS TO PERMIT
99	06/25/06	REVISIONS TO PERMIT
100	07/05/06	REVISIONS TO PERMIT

ROUND HILL
Preliminary Utility Plan
1000 N. 10th St.
Farmington, MN 55030
10/15/03



PROJECT NO: 10000
SHEET NO: C-205

Reference 10



RETENTION POND OVERFLOWS ONTO SENTINEL POINTS LAND AND GOES 80' TO THORNAPPLE HILLS DRAIN.
RETENTION POND CANNOT BE ACCESSED OR MAINTAINED BECAUSE OF HIGH SLOPED HILL AND PROPERTY LINE

EXISTING ROADWAY PROFILES

STATION	EXISTING ELEVATION	PROPOSED ELEVATION	FINISH ELEVATION
0+00	100.00	100.00	100.00
0+10	100.50	100.50	100.50
0+20	101.00	101.00	101.00
0+30	101.50	101.50	101.50
0+40	102.00	102.00	102.00
0+50	102.50	102.50	102.50
0+60	103.00	103.00	103.00
0+70	103.50	103.50	103.50
0+80	104.00	104.00	104.00
0+90	104.50	104.50	104.50
1+00	105.00	105.00	105.00
1+10	105.50	105.50	105.50
1+20	106.00	106.00	106.00
1+30	106.50	106.50	106.50
1+40	107.00	107.00	107.00
1+50	107.50	107.50	107.50
1+60	108.00	108.00	108.00
1+70	108.50	108.50	108.50
1+80	109.00	109.00	109.00
1+90	109.50	109.50	109.50
2+00	110.00	110.00	110.00
2+10	110.50	110.50	110.50
2+20	111.00	111.00	111.00
2+30	111.50	111.50	111.50
2+40	112.00	112.00	112.00
2+50	112.50	112.50	112.50
2+60	113.00	113.00	113.00
2+70	113.50	113.50	113.50
2+80	114.00	114.00	114.00
2+90	114.50	114.50	114.50
3+00	115.00	115.00	115.00
3+10	115.50	115.50	115.50
3+20	116.00	116.00	116.00
3+30	116.50	116.50	116.50
3+40	117.00	117.00	117.00
3+50	117.50	117.50	117.50
3+60	118.00	118.00	118.00
3+70	118.50	118.50	118.50
3+80	119.00	119.00	119.00
3+90	119.50	119.50	119.50
4+00	120.00	120.00	120.00
4+10	120.50	120.50	120.50
4+20	121.00	121.00	121.00
4+30	121.50	121.50	121.50
4+40	122.00	122.00	122.00
4+50	122.50	122.50	122.50
4+60	123.00	123.00	123.00
4+70	123.50	123.50	123.50
4+80	124.00	124.00	124.00
4+90	124.50	124.50	124.50
5+00	125.00	125.00	125.00
5+10	125.50	125.50	125.50
5+20	126.00	126.00	126.00
5+30	126.50	126.50	126.50
5+40	127.00	127.00	127.00
5+50	127.50	127.50	127.50
5+60	128.00	128.00	128.00
5+70	128.50	128.50	128.50
5+80	129.00	129.00	129.00
5+90	129.50	129.50	129.50
6+00	130.00	130.00	130.00
6+10	130.50	130.50	130.50
6+20	131.00	131.00	131.00
6+30	131.50	131.50	131.50
6+40	132.00	132.00	132.00
6+50	132.50	132.50	132.50
6+60	133.00	133.00	133.00
6+70	133.50	133.50	133.50
6+80	134.00	134.00	134.00
6+90	134.50	134.50	134.50
7+00	135.00	135.00	135.00
7+10	135.50	135.50	135.50
7+20	136.00	136.00	136.00
7+30	136.50	136.50	136.50
7+40	137.00	137.00	137.00
7+50	137.50	137.50	137.50
7+60	138.00	138.00	138.00
7+70	138.50	138.50	138.50
7+80	139.00	139.00	139.00
7+90	139.50	139.50	139.50
8+00	140.00	140.00	140.00
8+10	140.50	140.50	140.50
8+20	141.00	141.00	141.00
8+30	141.50	141.50	141.50
8+40	142.00	142.00	142.00
8+50	142.50	142.50	142.50
8+60	143.00	143.00	143.00
8+70	143.50	143.50	143.50
8+80	144.00	144.00	144.00
8+90	144.50	144.50	144.50
9+00	145.00	145.00	145.00
9+10	145.50	145.50	145.50
9+20	146.00	146.00	146.00
9+30	146.50	146.50	146.50
9+40	147.00	147.00	147.00
9+50	147.50	147.50	147.50
9+60	148.00	148.00	148.00
9+70	148.50	148.50	148.50
9+80	149.00	149.00	149.00
9+90	149.50	149.50	149.50
10+00	150.00	150.00	150.00

EXISTING ROADWAY PROFILES

STATION	EXISTING ELEVATION	PROPOSED ELEVATION	FINISH ELEVATION
0+00	100.00	100.00	100.00
0+10	100.50	100.50	100.50
0+20	101.00	101.00	101.00
0+30	101.50	101.50	101.50
0+40	102.00	102.00	102.00
0+50	102.50	102.50	102.50
0+60	103.00	103.00	103.00
0+70	103.50	103.50	103.50
0+80	104.00	104.00	104.00
0+90	104.50	104.50	104.50
1+00	105.00	105.00	105.00
1+10	105.50	105.50	105.50
1+20	106.00	106.00	106.00
1+30	106.50	106.50	106.50
1+40	107.00	107.00	107.00
1+50	107.50	107.50	107.50
1+60	108.00	108.00	108.00
1+70	108.50	108.50	108.50
1+80	109.00	109.00	109.00
1+90	109.50	109.50	109.50
2+00	110.00	110.00	110.00
2+10	110.50	110.50	110.50
2+20	111.00	111.00	111.00
2+30	111.50	111.50	111.50
2+40	112.00	112.00	112.00
2+50	112.50	112.50	112.50
2+60	113.00	113.00	113.00
2+70	113.50	113.50	113.50
2+80	114.00	114.00	114.00
2+90	114.50	114.50	114.50
3+00	115.00	115.00	115.00
3+10	115.50	115.50	115.50
3+20	116.00	116.00	116.00
3+30	116.50	116.50	116.50
3+40	117.00	117.00	117.00
3+50	117.50	117.50	117.50
3+60	118.00	118.00	118.00
3+70	118.50	118.50	118.50
3+80	119.00	119.00	119.00
3+90	119.50	119.50	119.50
4+00	120.00	120.00	120.00
4+10	120.50	120.50	120.50
4+20	121.00	121.00	121.00
4+30	121.50	121.50	121.50
4+40	122.00	122.00	122.00
4+50	122.50	122.50	122.50
4+60	123.00	123.00	123.00
4+70	123.50	12	

CHAPTER 16 PUD Planned Unit Development District

(Ordinance 1 of 1978), as amended. The requirements of final plat approval in Section 3.3 of the Subdivision Ordinance shall not apply to site condominium subdivision plans, except that a deposit in the form of cash, certified check, or irrevocable bank letter of credit shall be made with the Charter Township of Cascade to guarantee the installation and completion of any required public sanitary sewer, water supply, and drainage facilities, within a length of time agreed upon from the date of final approval of the site condominium subdivision plan by the Township Board. Nothing in this Section shall be construed as requiring a site condominium subdivision to obtain plat approval under the Cascade Township Subdivision Ordinance or the Subdivision Control Act.

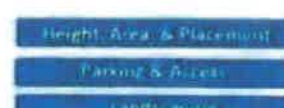
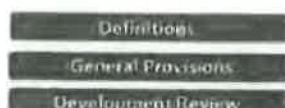
Master Deed - Contents: All provisions of the site condominium plans which are approved by the Township Board pursuant to Section 16.12(3) must be incorporated, as approved, in the Master Deed for the site condominium subdivision. Any proposed changes to the approved site condominium plans must be reviewed and approved by the Township pursuant to the procedure set forth in Section 16.12(3) for the approval of site condominium plans. A copy of the Master Deed as filed with the Kent County Register of Deeds for recording must be provided to the Township within ten (10) days after such filing with the County.

Section 16.12 Modification of PUD Plans:

Minor changes to a PUD site plan may be approved administratively by the Planning Director provided the changes comply with all applicable requirements of this Zoning Ordinance and all other Township regulations or state law. Minor changes subject to administrative review are defined in Section 21.04 of this Ordinance. Any other changes shall require an amendment or variance to the developers PUD ordinance.



Link to Procedures Manual with
Forms, Applications, and Flowcharts



CHAPTER 21 Site Plan Review

Section 21.01 Title:

Site Plan Review

Section 21.02 Purpose:

It is the purpose of this Chapter to require site plan review approval for certain buildings, structures and uses that can be expected to have a significant impact on natural resources, traffic patterns, adjacent parcels and the character of future development. The regulations contained in this Chapter are intended to promote:

1. Safe and convenient traffic movement, both within a site and in relation to access streets;
2. Harmonious relationships of buildings, structures and uses, both within a site and with adjacent sites;
3. Conservation of natural amenities and resources; and
4. Compliance with the provisions of this Ordinance and all other applicable Township, state and federal laws.

All land uses shall be subject to site plan approval, except a detached single-family dwelling on a lot or parcel not having any other dwelling existing or to be located thereon, and non-residential uses requiring less than five (5) parking spaces.

Section 21.03 Site Plan Procedure:

1. Following the filing of a proposed site plan, the Planning Department shall review the plan with other appropriate Township departments and/or Kent County governmental agencies for design sufficiency. Within fifteen (15) days after submittal of the site plan the Planning Department shall submit a report to the developer informing him of any site plan deficiencies (if any) which shall be corrected prior to review by the Planning Commission. Upon receipt of a revised site plan, the Planning Department shall submit the site plan with a report and its recommendation for review by the Planning Commission within twenty (20) days. The Planning Commission shall approve or reject the site plan within thirty (30) days of the recommendation by the Planning Department. If approval is conditioned with changes, the applicant shall agree in writing to the changes prior to the issuance of any building permits.
2. When an applicant receives site plan approval, he must develop the site exactly as approved by the Planning Commission or Planning Director.

3. If rezoning of the land is required to allow the proposed development or use of the property as provided for in the site plan, a concept approval of the site plan by the Township Planning Commission shall be considered contingent upon rezoning of the subject property by the Township Board; such concept site approval shall not be construed as any assurance of such rezoning nor shall it be binding on the applicant if the rezoning is approved.
4. An approved site plan shall be effective for a period of one (1) year, or the life of a building permit obtained pursuant to the approved site plan, whichever is longer. If construction is not commenced within the period that the site plan is effective, no construction shall take place unless there has been an extension approved by the Township Board and before the extension is granted there is compliance with all applicable site plan requirements that are in effect at the time of the extension.
5. Before a site plan is marked "approved", it shall be revised to reflect any conditions attached to the approval, or changes or corrections required to obtain approval.
6. All requirements of this Ordinance, and any other applicable Township ordinance, standard, specification or regulation shall be complied with even if not specifically included in an approved site plan.
7. Three (3) complete sets of "as-built" drawings certified by the project engineer or architect must be submitted by the proprietor at the time of application for an occupancy permit.

Section 21.04 Administrative Plan Review:

Minor changes to a site plan or new site plan may be approved administratively by the Planning Director provided the plan complies with all applicable requirements of this Ordinance and all other Township regulations or state law. The Planning Director may approve a site plan for the following:

1. Change of location or type of landscape materials.
2. Minor changes to an approved site plan which involve the addition or relocation of any of the following items:



Definitions

General Provisions

Development Review

Zoning Districts

Special Uses

Planned Unit Development

Height, Area, & Placement

Parking & Access

Landscaping

21-1

CHAPTER 21

Site Plan Review

- a. Sidewalks
 - b. Refuse containers
 - c. Lighting
 - d. Driveways and entrances
 - e. Signs
 - f. Retention/detention ponds
3. Decrease in building size from an approved site
 4. Moving a proposed building on an approved site plan no more than ten (10) feet or five (5) percent of the distance to the closest property line, whichever is smaller.
 5. An increase in a building size that does not exceed 5,000 square feet or five (5) percent of the gross floor area, whichever is smaller.
 6. A building or structure which does not exceed 5,000 square feet of gross floor area and for any use which does not require a special use permit, as provided by Chapter 15 of this Ordinance.
 7. New parking lots.

Section 21.05 Required Site Plan Information:

1. **Graphic Materials Required For Plans** - Every application for site plan approval shall contain plans that locate the development site and graphically demonstrate existing and proposed natural, man-made and legal features on and near the site in question. Development site plans shall show on the first page the following information:
 - a. Name of applicant.
 - b. Name of development (if any).
 - c. North arrow.
 - d. Legend.
 - e. Location. A location map that shows the location of the project in the broad context of the Township.
 - f. Scale. Development site plans shall be drawn to scale, using such a scale that all features required to be shown on the plans are readily discernible. The Planning Department shall make the final determination whether the plans submitted are drawn to the appropriate scale.
 - g. All of the features required to be shown on plans by Section 21.05(2) and Section 21.05(3), may be included on one set of plans, so long as the features are distinctly discernible.
2. **Existing Natural, Man-Made, and Legal Features** Development site plans shall show all existing natural, man-made and legal features on the lot where the development is to take place, including but not limited to those listed below. In addition, the plans shall also show those features, indicated in the following by an asterisk, that are located within 50 feet in any direction of the lot where the development is to take place, and shall specify the use made of adjoining properties.
 - a. Existing natural features:
 - 1) Tree line of wooded areas.
 - 2) Individual trees 18 inches in diameter or more, identified by common or scientific name.
 - 3) Orchards or other agricultural groves by common or scientific name.
 - 4) Streams, ponds, drainage ditches, swamps, boundaries of floodways and floodplains.
 - 5) If more than five acres of land are to be developed base flood elevation data.
 - 6) Contour lines (shown as dotted lines) with no larger than two-foot contour intervals. (As indicated in Section 21.05.(3)(o) proposed contour lines shall be shown as.
 - b. Existing man-made features:
 - 1) Vehicle accommodation areas (including parking areas, loading areas and circulation areas, all designated by surface material and showing the layout of existing parking spaces and direction of travel lanes, aisles, or driveways.
 - 2) Streets, private roads, sidewalks, and other walkways, all designated by surface material.
 - 3) Curbs and gutters, curb inlets and curb cuts, and drainage grates.
 - 4) Other storm water or drainage facilities, including manholes, pipes, and drainage ditches, including sizes and materials.
 - 5) Underground utility lines (sizes and materials), including water, sewer, electric power, telephone, gas, cable television.
 - 6) Above ground utility lines and other utility facilities.
 - 7) Fire hydrants.



Definitions

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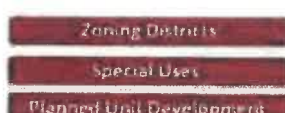
21-2

CHAPTER 16

PUD Planned Unit Development District

approval of lot sizes, lot orientation, and street layout for a period of one (1) year from the date of site condominium plan approval. Such plan approval may be extended if applied for by the developer and granted by the Township Board in writing.

4. **Site Condominium Plans - Required Content:** All site condominium plans shall include the following:
 - a. Project description which describes the nature and intent of the proposed development.
 - b. A survey plan of the site condominium subdivision.
 - c. A floodplain plan, if the site lies within or abuts a floodplain area.
 - d. A site plan, consistent with Chapter 21, showing the location, size, shape, area and width of all condominium units.
 - e. A utility plan pursuant to Section 16.12(5.a) below.
 - f. A street construction, paving, and maintenance plan for all private streets within the proposed site condominium subdivision.
 - g. A storm drainage and stormwater management plan, including all lines, swales, drains, basins, and other facilities.
 - h. A soil erosion and sedimentation control plan consistent with the Cascade Township Soil Erosion and Sedimentation Ordinance, (Ordinance #4 of 1988).
 - i. A description of the common elements of the project as will be contained in the Master Deed.
 - j. The use and occupancy restrictions as will be contained in the Master Deed.
 - k. A "Consent to Submission of Real Property to Condominium Project", stating all parties which have ownership interest in the proposed site condominium subdivision; or evidence of authority or right that the developer has a legal option to purchase the subject property from the owner(s) of record.
5. **Utilities:**
 - a. The site condominium plans shall include all necessary easements (i.e. sewer/water, sidewalks, bike paths, etc.) granted to Cascade Township and Kent County for the purposes of constructing, operating, inspecting, maintaining, repairing, altering, replacing, and/or removing pipelines, mains, conduits and other installations of a similar character (hereinafter collectively called "public structures") for the purpose of providing public utilities, including conveyance of sewage, water and stormwater run-off across, through and under the property subject to said easement, and excavating and refilling ditches and trenches necessary for the location of said structures.
 - b. The Township Board may require the developer to enter into an agreement with the Township for the imposition of a special assessment for the construction of sewer and water lines within all easements and/or rights of way within the site condominium subdivision. This requirement 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 of any developer's or his grantees rights to contest the confirmation of any special assessment roll as provided in the Act.
6. **Private Streets:** If a site condominium subdivision is proposed to have private streets, the Township Board may require that the private streets be developed to the minimum design, construction, inspection, approval and maintenance requirements of Kent County Road Commission or as otherwise specified by the Township Engineer. All private streets in a site condominium subdivision shall have a paved driving surface of asphalt or concrete.
7. **Subdivision of Condominium Units:** All subdivisions of individual condominium units shall conform to the requirements of this Ordinance and their particular PUD Ordinance for minimum lot width, lot area, and the building setback requirements, shall be approved by Township Board, and these requirements shall be made part of the bylaws and recorded as part of the Master Deed.
8. **Mobile Home Condominium Project:** Mobile Home condominium projects shall conform to all requirements of this Ordinance.
9. **Site Condominium Subdivision Layout - Design and Approval:** The Township Board may require site condominium plans to conform to the plan preparation requirements; review and approval procedures; design, layout and improvement standards of Sections 4.1, 4.2, 4.3, 4.4.1 through 4.4.5, 4.5, 4.6, 5.3.1.d through 5.3.1.k, 5.4, and 5.5 of the Cascade Charter Township Subdivision Ordinance



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Grand Rapids, Michigan 49501-0352

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Lawrence J. Murphy
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Susan M. Wynnsgaarden
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Matthew B. Eugster
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Daniel C. Molhoek
David E. Preston
Eric J. Schneidewand
Hillary F. Snell
Larry J. Tiley
Kent J. Vana
Carl E. Van Bock

December 30, 2015

Mark D. Rohde
3087 Thornapple River Drive SE
Grand Rapids, MI 49546

Re: Round Hill PUD/Retaining Wall Issue

Dear Mr. Rohde:

Based on the drawings describing the proposed Round Hill Condominium PUD project proposed in Cascade Township, it appears that there are significant retaining walls that are a necessary part of this project. The precise location of those retaining walls is not apparent from the drawings submitted to the Township. More precise drawings, especially since the Township property on the north side of the project is also affected, would appear to be in order. The construction process for these retaining walls will not only affect your property but will also have significant impact on the Township property to the north.

It's clear under the zoning ordinance that the retaining walls are structures. The definition of structures includes fences, but the definition of fence specifically excludes retaining walls. So, the net result is that a retaining wall is, in fact, a structure.

The location of structures is governed by various definitions and regulations in the zoning ordinance. Required yards are not to be occupied or obstructed by encroachments such as structures unless specifically permitted by the zoning ordinance. No part of a structure may be located within the building setback line unless specifically provided by the ordinance. Section 4.08.4.b provides that structures that are not buildings (such as a retaining wall) may project no

December 30, 2015
Page 2



closer than 10 feet to any side or rear property line. Section 4.30 does permit a wall to be erected along a property line.

Thus, it appears from various provisions of the zoning ordinance that the wall must be located either on the property line or at least 10 feet from the property line. It appears from the drawings that the property retaining wall fits neither of those categories in that it is three or four feet off from the property line. I assume you will refuse to provide them with a temporary easement to construct the wall along your property line thereby forcing them to either attempt to construct it on the property line from their property without trespassing on yours or place the wall at least 10 feet from your property line, which appears to be a more reasonable solution.

In addition and importantly, Section 4.30.2 places specific limits on the height of such retaining wall. The proposed residential PUD would appear to be limited to a height of six feet without the issuance of a special use permit.

Even assuming that the location of the wall complies with the zoning ordinance (which it may not), the project still cannot be built without the issuance of a special use permit to allow the extreme height of the proposed walls. There are very specific standards that must be met to justify a special use permit and you will have an opportunity to be heard through a special land use public hearing process.

In summary, you have legitimate objections and challenges to both the location of the walls and the height of the retaining walls, if a rezoning is granted for the proposed project.

Very truly yours,

VARNUM


Randall W. Kraker

RWK/bjs

such costs from the Association and Co-Owners as if such obligations of the Association and Co-Owners were in the form of a permanent deed restriction or covenant on the Project. Should the Township pursue this remedy, the Township would have any and all rights attributable to the Association when collecting dues or assessments from Co-Owners. Additionally, such costs shall be a lien on each of the Units, which shall be enforceable in accordance with Act No. 94 of the Public Acts of 1933, as amended from time to time. Any such charges which are delinquent for six (6) months or more may be certified annually to the Township Treasurer, who shall enter the lien on the next tax roll against the applicable Unit, and the costs shall be collected and the lien shall be enforced in the same manner as provided for in the collection of taxes assessed upon the roll in the enforcement of a lien for taxes. In addition to any other lawful enforcement methods, the Township shall have all remedies authorized by Act No. 94 of the Public Acts of 1933, as amended.

CASCADES TOWNSHIP
BOARD APPROVAL
MARCH 9, 2016
LANDSCAPE RESTRICTIONS

The above alternate remedies (being (a) and (b)) shall be deemed to be in addition to any and all other remedies provided for elsewhere in the Master Deed or condominium documents or at law or equity. The Township shall have the sole authority and discretion to determine whether or not to proceed pursuant to (a) or (b), above.

- C. Before construction commences, the Developer shall provide to the Township (and any other applicable governmental units and utilities) all necessary permanent easements within the Project for telephone, telecommunications, 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.

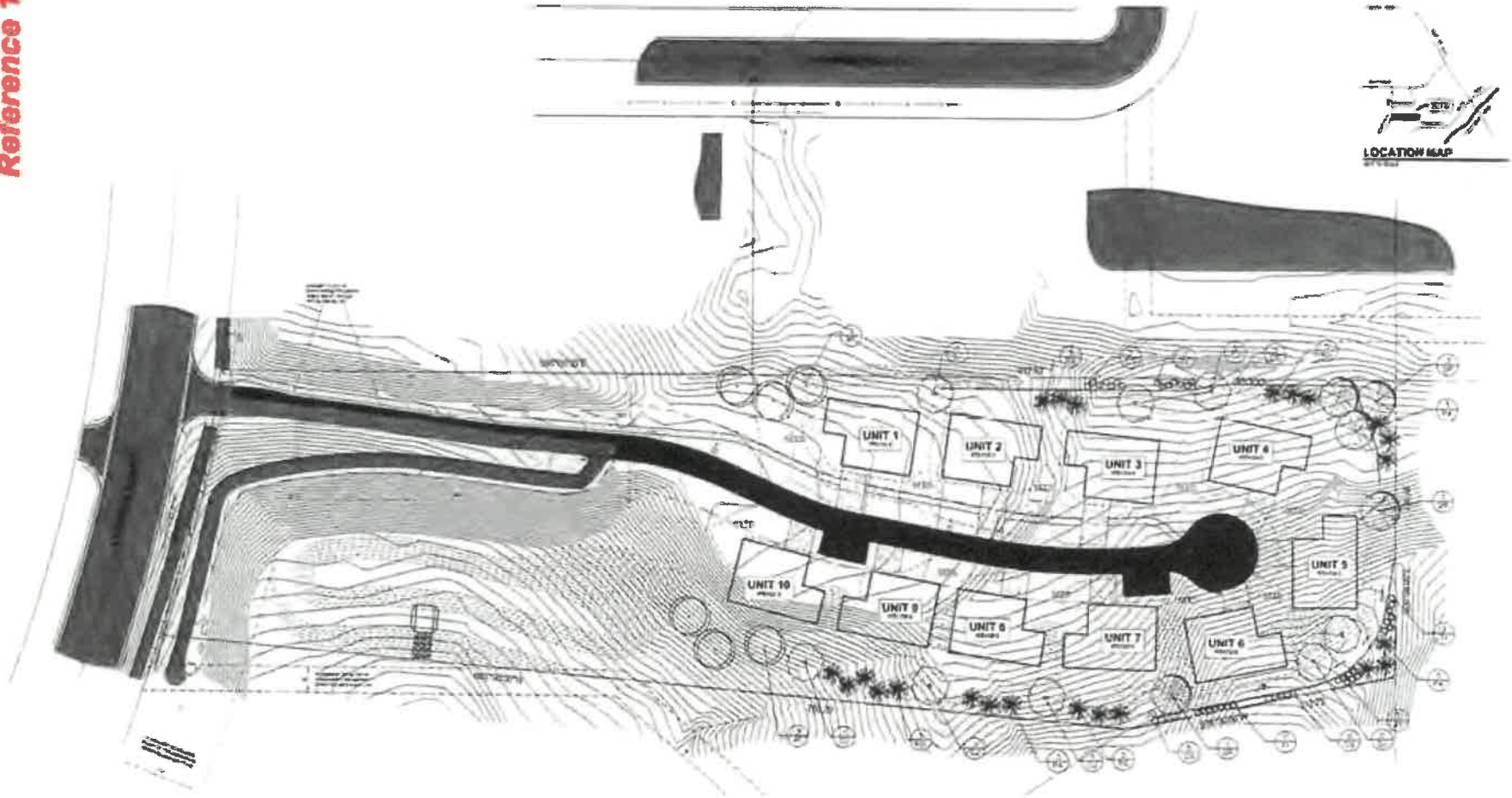
Section XI. Landscape Plan

The landscaping along the perimeter of the site shall be installed and maintained and shall include at a minimum the plantings that are shown on the approved landscaping plan dated 1/22/16.

ROUND HILL S.E. PROPERTY LINE GRADES
VOID POSSIBILITY OF LANDSCAPE INSTALL

Section XII. Soil Erosion Control Requirements.

The Developer 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 Project. This plan shall be reviewed and approved by the Township Engineer prior to commencing any excavation on the site. Developer shall comply with any and all licenses, approvals, or permits issued regarding soil erosion control requirements and measures.



LANDSCAPE PLAN  Scale: 1/8" = 1'-0"

PLANT LIST

NO.	SYMBOL	PLANT NAME	QUANTITY	SIZE	REMARKS
01		High Pressure Callery Pear	1	12" GAL	0.00
02		Callery Pear	1	12" GAL	0.00
03		Sweet Olive	1	12" GAL	0.00
04		Sweet Olive	1	12" GAL	0.00
05		Sweet Olive	1	12" GAL	0.00
06		Sweet Olive	1	12" GAL	0.00
07		Sweet Olive	1	12" GAL	0.00
08		Sweet Olive	1	12" GAL	0.00
09		Sweet Olive	1	12" GAL	0.00
10		Sweet Olive	1	12" GAL	0.00
11		Sweet Olive	1	12" GAL	0.00

NOTES

1. All plants shall be installed in accordance with the specifications of the National Plant Hardiness Zone for the project location.
2. All plants shall be installed in accordance with the specifications of the National Plant Hardiness Zone for the project location.
3. All plants shall be installed in accordance with the specifications of the National Plant Hardiness Zone for the project location.
4. All plants shall be installed in accordance with the specifications of the National Plant Hardiness Zone for the project location.
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6. All plants shall be installed in accordance with the specifications of the National Plant Hardiness Zone for the project location.
7. All plants shall be installed in accordance with the specifications of the National Plant Hardiness Zone for the project location.
8. All plants shall be installed in accordance with the specifications of the National Plant Hardiness Zone for the project location.
9. All plants shall be installed in accordance with the specifications of the National Plant Hardiness Zone for the project location.
10. All plants shall be installed in accordance with the specifications of the National Plant Hardiness Zone for the project location.

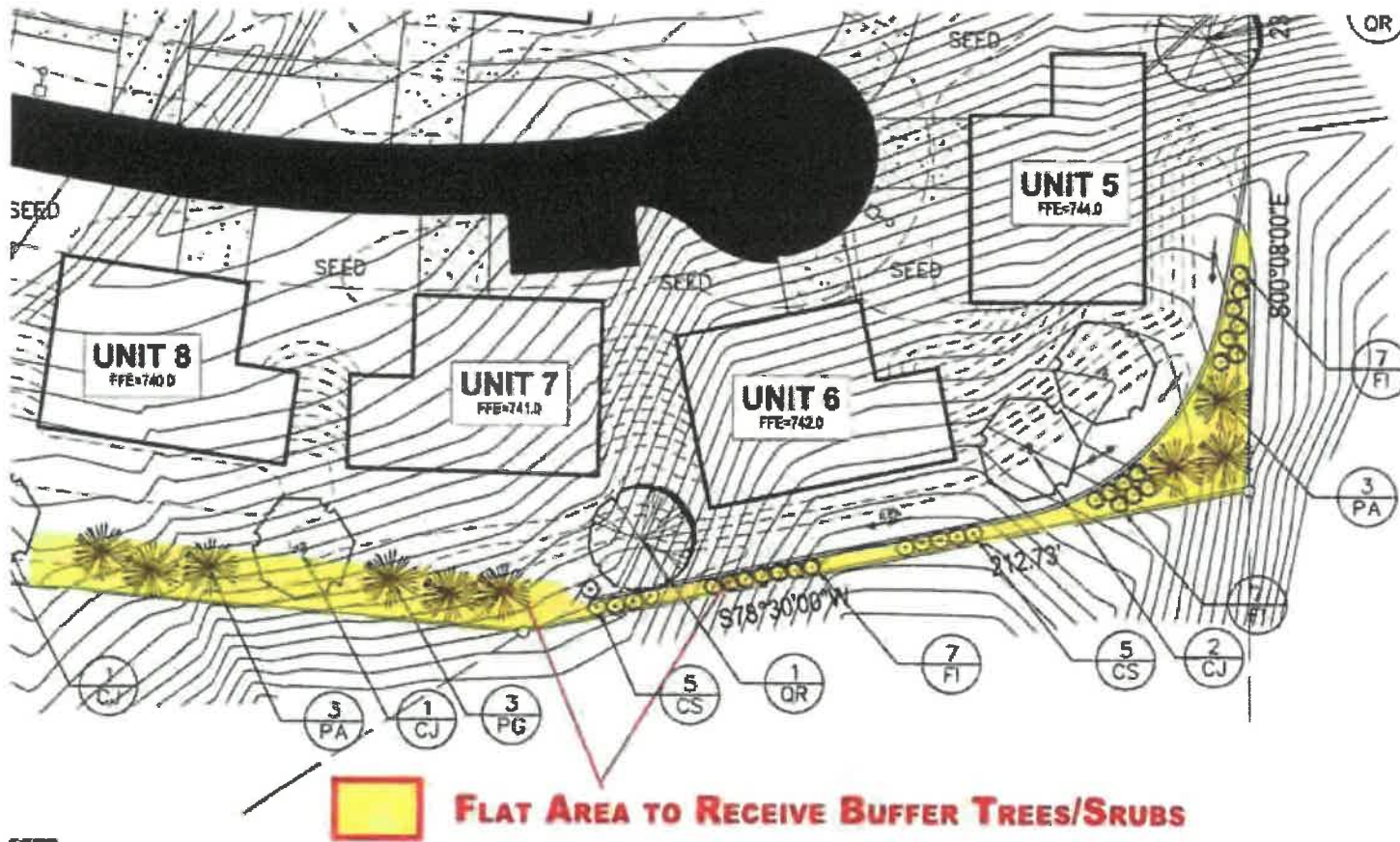
RJM Design
 1400 West 10th Street, Suite 100
 Kent, WA 98032
 Phone: (206) 835-1111
 Fax: (206) 835-1112

Cascade Township Kent County MI

Landscape Plan
Round Hill

DATE	DESCRIPTION

PROJECT NUMBER
16004
 UNIT and
LANDSCAPE PLAN
 SHEET NUMBER
L100



FLAT AREA TO RECEIVE BUFFER TREES/SRUBS

PLANTING NOTES

- LANDSCAPING SHALL BE INSTALLED WITH NINETY (90) DAYS OF COMPLETION OF THE ROAD
- CONTRACTOR SHALL NOTIFY MISS DIG TO LOCATE ANY UNDERGROUND UTILITY LINES OR STRUCTURES PRIOR TO STARTING CONSTRUCTION.
- CONTRACTOR SHALL PROVIDE SPECIFIED SHRUBS AND OTHER PLANT MATERIALS THAT COMPLY WITH ALL RECOMMENDATIONS AND REQUIREMENTS OF ANS 260.1 "AMERICAN STANDARD FOR NURSERY STOCK". PLANT MATERIAL SHALL BE HEALTHY, VIGOROUS STOCK, GROWN WITH GOOD HORTICULTURAL PRACTICE AND INSTALLED IN ACCORDANCE WITH METHODS ESTABLISHED BY THE AMERICAN ASSOCIATION OF NURSERMEN.
- ALL LANDSCAPE AREAS SHALL BE IRRIGATED WITH UNDERGROUND AUTOMATIC IRRIGATION SYSTEM, TREES AND SHRUBS WILL BE IRRIGATED BY A SEPARATE ZONE FROM SOD/GRASS. THIS INCLUDES TREES PLANTED IN SOD/GRASS AREA. THE IRRIGATION SYSTEM IS TO HAVE A RAIN SENSOR SHUTOFF INSTALLED.
- ALL PLANTINGS AND LANDSCAPE IMPROVEMENTS SHALL BE CONSISTENT WITH CASCADE TOWNSHIP ZONING REQUIREMENTS.
- SEED SHALL BE PLACED OVER 4" TOPSOIL IN ALL PROPOSED NOTED SEED AREAS AND ALL AREAS DISTURBED BY CONSTRUCTION. SEED MIXES SHALL BE AS FOLLOWS:
 SEED A
 10% TALL FESCUE
 20% PERENNIAL RYE GRASS
 30% CREEPING RED FESCUE

Reference 19

Landscape Plan

Round Hill

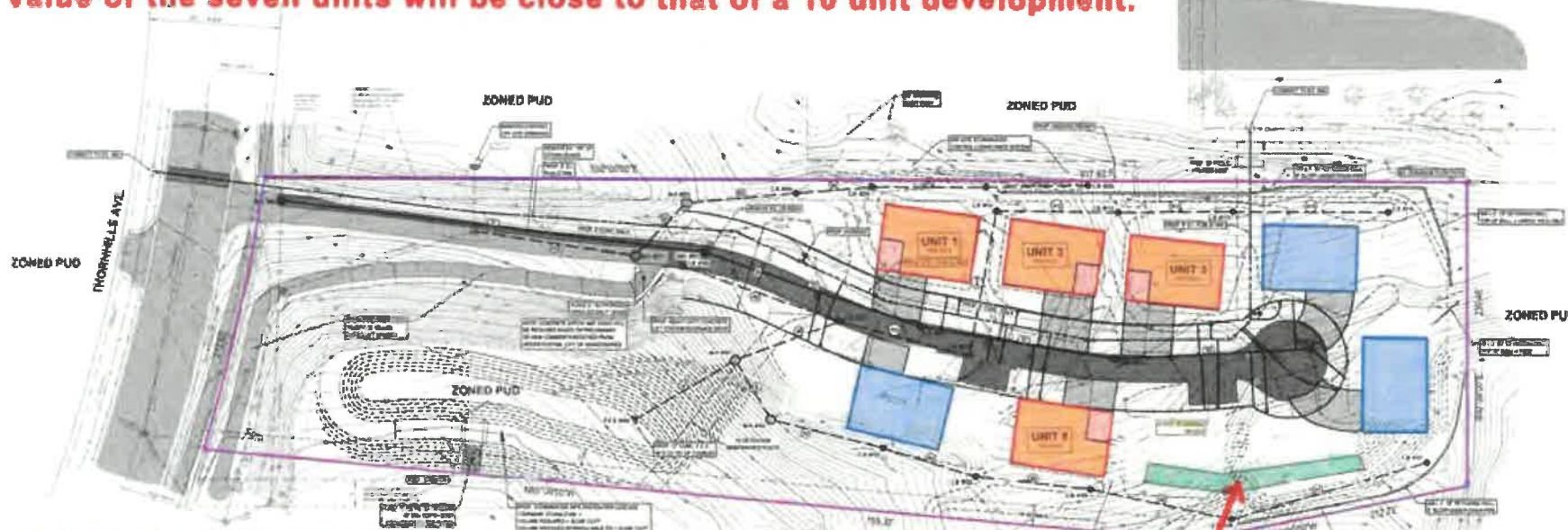
DATE:	ISSUED FOR:
1/22/2016	TOWNSHIP REVIEW
P.I.C.	R. JAMES MORRIS
P.M.	C. MARKHAM
DESIGN	C. MARKHAM

RJM PROJECT NUMBER
16004

THORNBROOK DR

Overview Notation:

Round Hills original PUD design had 10 smaller, closely units with 2 stall garages. These units would likely had a sales value of no more than \$600,000-\$700,000. With the larger units, 3 stall garages, and more open space, the overall sales value of the seven units will be close to that of a 10 unit development.



Three Units have been eliminated at the southern steep slopes because;

- 1: There must be 30'40' between units for soil erosion control at 45 degree slopes
- 2: The grade is too steep for normal house foundations, and soil in this area was not properly compacted which lead to foundation problems.
- 3: Round Hill is constructing larger units, with 3 stall garages in lieu of 2 stall per PUD. There needs more between units to compensate.

Mid-level flat area between steep slopes at south property line to receive 10' Norway Spruce & other landscaping in lieu of property line landscaping as per PUD

Reference 20

Potential Round Hill 7 Unit Master Plan

April 3, 2019



www.neovervelo.com
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GRAND RAPIDS
ANN ARBOR
CHICAGO
COLUMBUS
INDIANAPOLIS
ST. LOUIS

PREPARED FOR:
R.H. Fromm
7-10-2018
P.O. Box 44
Ann Arbor MI 48107
Phone: 508.511.8100

REVISIONS	
No.	Description
1	Initial Design
2	Revised Design
3	Final Design

ROUND HILL
PUD Amendment Preliminary Plan

STAMP:

PROJECT NO:
6401335

SHEET NO:
C-205

SHEET: 2 OF 3