

AGENDA
Cascade Charter Township Planning Commission
Monday, May 15, 2017
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 April 17, 2017 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 # 17:3379 David Shaffer
Public Hearing
Property Address: 8665 28th St
Requested Action: The applicant is requesting a Special Use Permit to
construct an addition to an accessory building in excess of 832 sq ft.**
- ARTICLE 7. Case # 16:3348 Edward Rose/Meadowbrook P.U.D Amendment
Property Address: 5794 Broadmoor Ave & 5201 60th St.
Requested Action: The Applicant is requesting a recommendation to the
Township Board to amend the Meadowbrooke P.U.D to allow for multifamily
residential and commercial development.**
- ARTICLE 8. Any other business**
- ARTICLE 9. Adjournment**

Meeting Format

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

MINUTES
Cascade Charter Township
Planning Commission
Monday, April 17, 2017
7:00 P.M.

ARTICLE 1. Chairman Waalkes called the meeting to order at 7:00 P.M.
Members Present: Waalkes, Katsma, Lewis, Mead, Pennington, Rissi, Robinson, Sperla and Williams
Members Absent: None
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 Robinson to approve the Agenda. Supported by Member Mead. Motion carried 9 to 0.

ARTICLE 4. Approve the Minutes of the March 20, 2017 Meeting.

Motion was made by Member Lewis to approve the Minutes (with noted corrections). Supported by Member Robinson. Motion carried 9 to 0.

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

No visitors who were present wished to speak about non-agenda items.

ARTICLE 6. Case #16:3316 Leisure Living, LLC

Public Hearing

Property Address: 5042, 5044 Cascade Road and 1225 Spaulding

Requested Action: Preliminary Plan Review to rezone property at 5042, 5044 Cascade Road and 1225 Spaulding to P.U.D. to allow an independent living, assisted living and memory complex.

To begin, Member Pennington wanted to let the Commission know that his firm has been working on this project, however, he is not personally involved. He wanted to disclose this in case the Commission wanted him to recuse himself with regard to this project. The Commission felt his recusal was not needed.

Director Peterson stated that the Applicant is requesting a Preliminary Plan approval in order to construct 138 new units for independent living and memory care. This development would be restricted to people receiving care. The project consists of three different properties totaling 18 acres. The current Master Plan designated for this property is Community Residential. Attached and detached assisted living is a housing type in this master planned area.

The Applicant has submitted a traffic study which indicates that the KCRC will be making some improvements to the area that will address the issues in the traffic study. The study has identified the following improvements that are occurring: (1) KCRC is already planning on constructing a northbound right turn lane in 2018, and (2) KCRC has agreed to monitor the signal for the most efficient operation for all movements. In addition, the KCRC is also studying the intersection at Burton and Spaulding for future improvements regardless of this project.

The project is located along the pedestrian path and the project has provided a connection to the pathway to allow for internal connections to the development. The storm water design for the site will need to meet the Township's storm water ordinance. The developer has also been working on plans to address sewer and water to accommodate the project.

Any outdoor lighting will need to meet Township regulations. Also, in regards to landscaping, the developer has provided some landscaping around the perimeter and prospective drawings should also assist in determining the need for landscaping to buffer the surrounding uses specifically the residential uses to the Northwest and West.

The project is still being reviewed by the Township Engineer and the City of Grand Rapids for water service. Staff does not believe this will be an issue but they still need to work this out.

Director Peterson recommends approval of the Preliminary Plans contingent on the Applicant being able to address the issues from the City of Grand Rapids. Any changes to the plan should be minor and can be reviewed when recommendation is made to the Township Board on the plan and ordinance.

Chairman Waalkes asked the Applicant to come forward with any comments.

Mr. Colin Kraay of Leisure Living came forward and made a presentation about Leisure Living and the planned community.

Mr. Justin Longstreth of Moore & Bruggink then came forward to add a side note on a couple issues that were brought up.

Motion was made by Member Mead to open the public hearing. Supported by Member Rissi. Motion was carried 9 to 0.

Several members of the public came forward to address their concerns with the project. All were neighbors of the proposed project. Their concerns specifically were lighting (in the parking areas, on the buildings and vehicle lights along drive paths), increased traffic, property values with such a facility going in, and type of buffer to contain the noise and shield their view of the facility.

Mr. Kray again came forward to address the neighbors' concerns. He assured them Leisure Living will work to make sure appropriate lighting is put in, and natural buffers, such as pine trees, etc. around perimeter and shrubs, etc. along drive paths.

Motion was made by Member Lewis to close the Public Hearing. Supported by Member Robinson. Motion carried 9 to 0.

Motion was made by Member Mead to approve the Preliminary Plan to rezone the property contingent on Applicant addressing issues from the City of Grand Rapids. Supported by Member Sperla. Motion carried 9 to 0.

ARTICLE 9. Any other business

Next meeting of the Planning Commission will be May 8, 2017.

ARTICLE 10. Adjournment.

Motion was made by Member Rissi to adjourn. Supported by Member Sperla. Motion carried 9 to 0. The meeting was adjourned at 8:00 p.m.

Respectfully submitted,
Scott Rissi, Secretary

STAFF REPORT: Case # 17-3379
REPORT DATE: May 9, 2017
PREPARED FOR: Cascade Charter Township Planning Commission
MEETING DATE: May 15, 2017
PREPARED BY: Steve Peterson, Community Development Director

APPLICANT:
David Shaffer
8665 28th st
Cascade MI 49512

STATUS

OF APPLICANT: Property Owner

REQUESTED ACTION: The applicant is requesting a Special Use Permit to construct an addition to an accessory building in excess of 832 sq ft.

**EXISTING ZONING OF
SUBJECT PARCEL(S):** ARC

GENERAL LOCATION: north side of 28th st just east of Buttrick Ave.

PARCEL SIZE: Approximately 2.5 acre.

**EXISTING LAND USE
ON THE PROPERTY:** Residential

**ADJACENT AREA
LAND USES:** Residential

**ZONING ON
ADJOINING PARCELS:** ARC

STAFF COMMENTS:

1. The applicant is requesting permission to construct a 18x21 addition to the existing accessory building. The existing accessory is about 688 sq ft. the addition would bring the total size to 1,066 sq ft. Now that the building would be over 832 sq ft it requires the special use permit.
2. The building is about 40 feet of the side (north) property line and is about 16 feet tall. This meets our minimum setback requirements.
3. They have indicated that they want the building for personal storage of lawn tractor, trailer and wood working.
4. With less than 3 acres the property would only be allowed this one accessory building. They have a second building on the property that they plan to remove as a result of this project.
5. The materials for the building will be the same as the existing. This is a metal roof with wood siding.
6. Any outdoor lighting will have to meet our standards, requiring it to be shielded and downcast or at a level that is exempted.
7. It should be noted that accessory buildings cannot be used for living space or to run a business.

Upon review of a Type I Special Use Permit for an accessory building, Section 17.03(1)(a) of the Zoning Ordinance requires the Planning Commission to consider several factors. I have listed those items for your consideration followed by my comments for each.

<i>Factors</i>	<i>Comments</i>
The intended use of the building.	Residential storage.
The proposed location, type and kind of construction and general architectural character of the building.	The garage will be of similar materials to others in the area.
The size of the building in relation to the house, lot and zoning district.	The property is about 2.5 acres. The home has approximately 2,500 sq. ft. of finished living space.

The type and kind of principal and accessory buildings and structures located on properties which are adjoining and in the general area.	There are a few other detached buildings in the immediate area. This size and type of building is consistent with others of similar size in the Township.
The topography and vegetation in the area.	Wooded
Whether the proposed building will affect the light and air circulation of any adjoining properties.	No impact
Whether the proposed building will adversely affect the view of any adjoining property owner or occupant.	The most impacted home will be those on the private road.
Points of access to the proposed building and their relationship to adjoining properties and the view from the adjacent streets.	No new access to the street will be created.

STAFF RECOMMENDATION

I would recommend that you approve the request to construct the addition to the existing accessory building;

1. The building is not used for living space or to run a business.
2. Any outdoor lighting meets our regulations.
3. Remove the small shed within 30 days of completing the addition

Attachments: Application package



CASCADE CHARTER TOWNSHIP

2865 Thornhills SE Grand Rapids, Michigan
49546-7140

PLANNING & ZONING APPLICATION

APPLICANT: Name: David Shaffer
Address: 8665 28th St.
City & Zip Code Ada, MI 49301
Telephone: 616-560-5055
Email Address: dshaffer314@gmail.com

OWNER: * (If different from Applicant)
Name: _____
Address: _____
City & Zip Code: _____
Telephone: _____
Email Address: _____

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 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 checked="" 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:**

I would like to construct a 19'x21' addition to my existing barn. The existing barn is used for a wood working shop. The new addition will be used to store my lawn tractor and trailers. This addition will replace the existing shed structure that is to be torn down/removed.

(**Use Attachments if Necessary)

-SEE OTHER SIDE-

LEGAL DESCRIPTION OF PROPERTY:**

PART SE 1/4 COM 739.66 FT N 89D 31M 46S W ALONG S SEC LINE FROM SE COR OF SEC TH N 89D 31M 46S W 522.99 FT TO SE COR OF W 66 FT OF SE 1/4 SE 1/4 TH N 00D 40M 53S W ALONG E LINE OF SD W 66 FT 260.0 FT TH S 89D 31M 46S E 479.98 FT TH SLY 100.84 FT ON A 200.0 FT RAD CURVE LT /LONG CHORD BEARS S 10D 33M 20S E 99.78 FT/ TH SELY 133.36 FT ON A 300.0 FT RAD CURVE RT /LONG CHORD BEARS S 12D 15M 53S E 132.27 FT/ TO A LINE BEARING N 00D 28M 14S E FROM BEG TH S 00D 28M 14S W 33.0 FT TO BEG * SEC 11 T6N R10W 3.01 A.

(**Use Attachments if Necessary)

PERMANENT PARCEL (TAX) NUMBER: 41-19 11-476-006

ADDRESS OF PROPERTY: 8665 28th St. Ada, MI 49301

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)

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. plat restrictions, deed restrictions, covenants, etc.)

Owner – Print or Type Name
(*If different from Applicant)

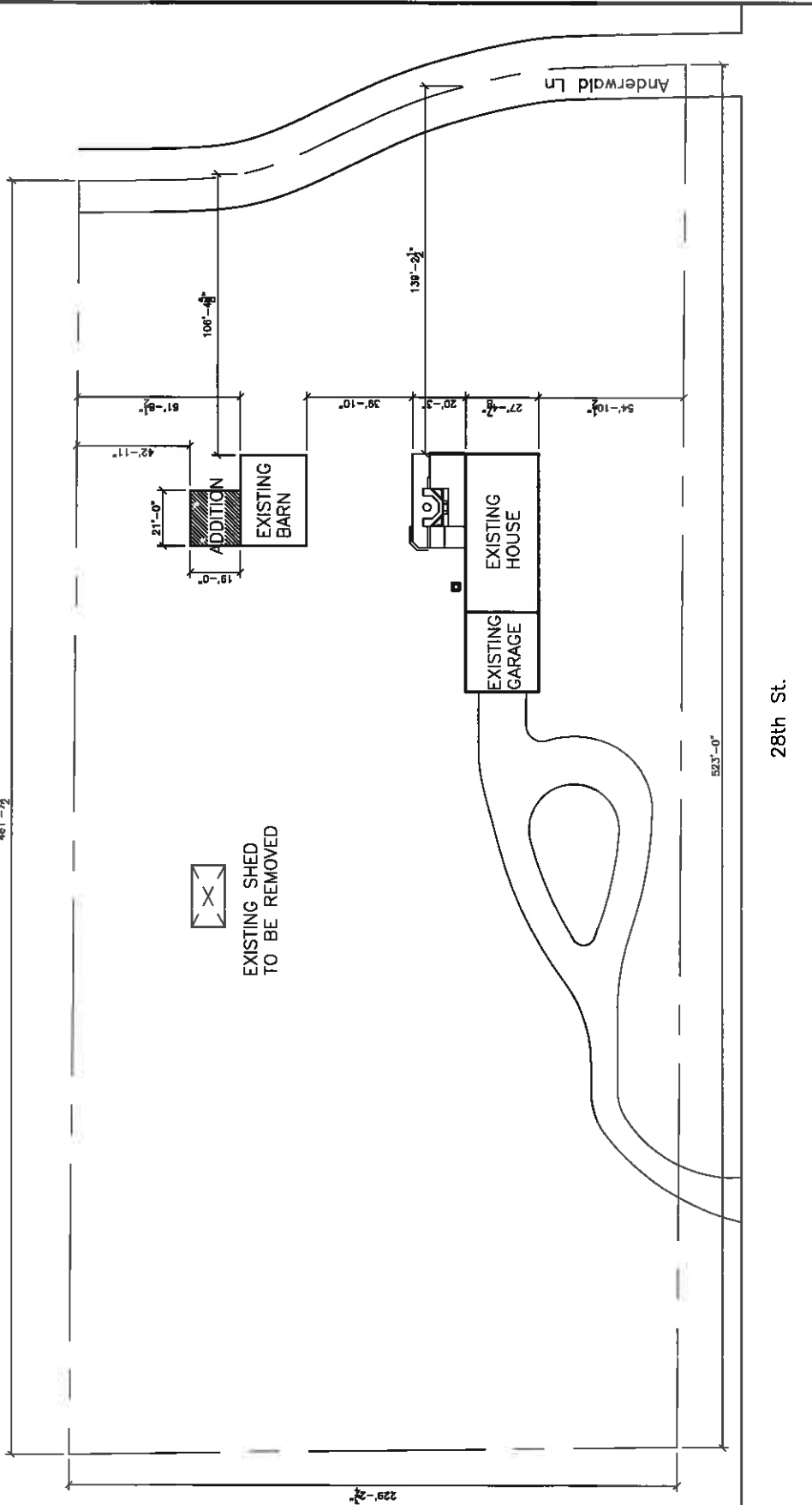
DAVID SHAFFER

Applicant – Print or Type Name

* _____
Owner's Signature & Date
(*If different from Applicant)

David Shaffer 4-24-17
Applicant's Signature & Date

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



SITE PLAN
NO SCALE

NORTH

28th St.

53'-0"

Google Maps 8665 28th St SE



Imagery ©2017 Google, Map data ©2017 Google 20 ft

EXISTING CORRUGATED METAL ROOFING

CORRUGATED METAL ROOFING TO MATCH EXISTING

EXISTING WOOD SIDING

EXISTING BLOCK WALL

FIRST FLOOR
100' - 0"

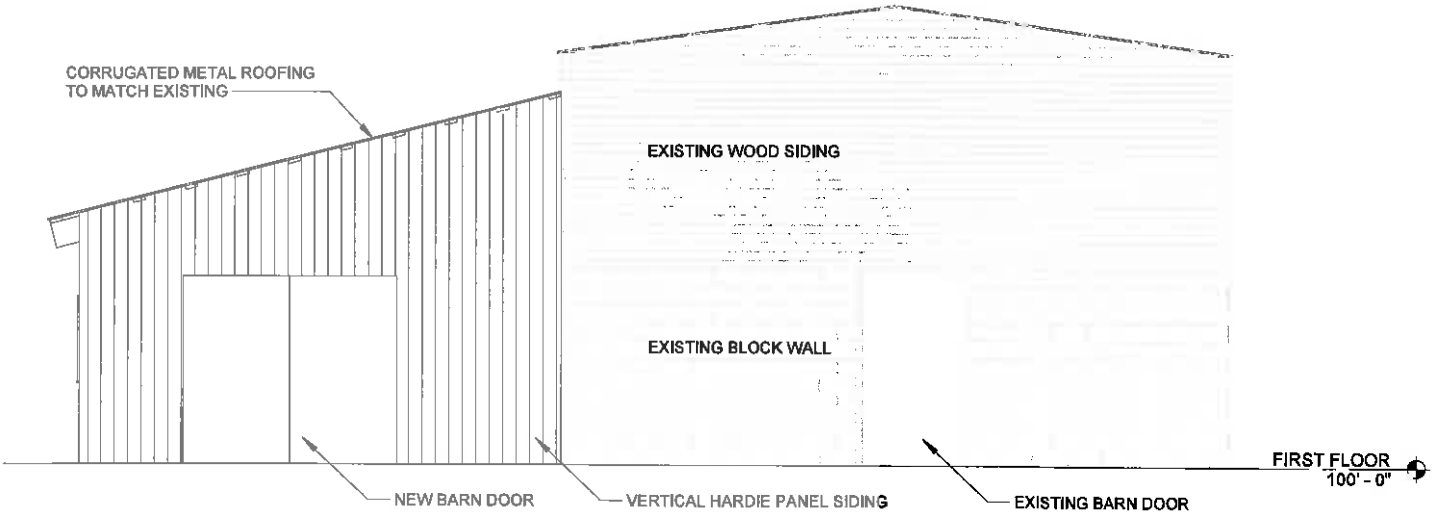
VERTICAL HARDIE PANEL SIDING

East Elevation

SCALE: 3/16" = 1'-0"

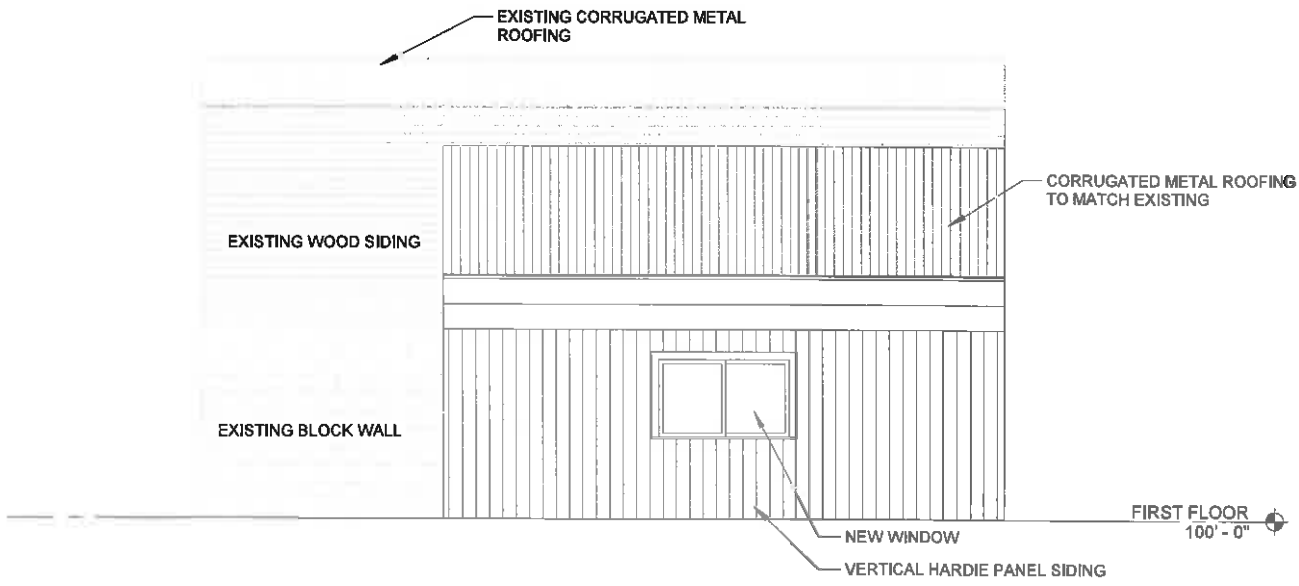
1

A312



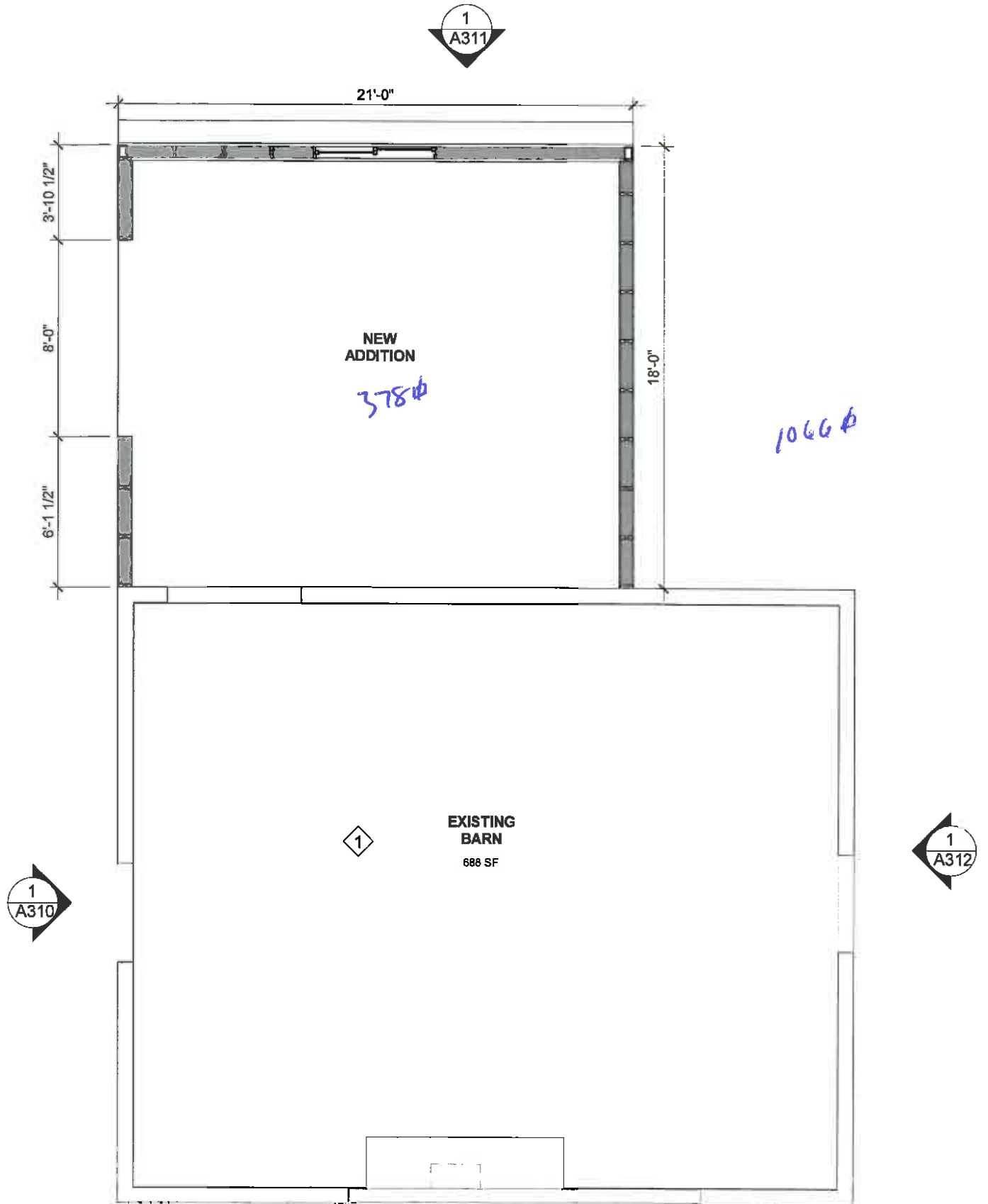
1 WEST ELEVATION
 SCALE: 3/16" = 1'-0"

A310



1 NORTH ELEVATION
 SCALE: 3/16" = 1'-0"

A311



FIRST FLOOR PLAN

SCALE: 3/16" = 1'-0"

A100

8665 28th st



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Printed 4/25/2017 4:22:45 PM

Memorandum

To: Cascade Charter Township Planning Commission
From: Steve Peterson, Community Development Director
Subject: Case 16-3348 Edward Rose - Meadowbrooke PUD Amendment
Meeting date: May 15, 2017

At the Public hearing on February 6, 2017 the Planning Commission awarded preliminary approval of the site plan and instructed staff to write the PUD amendment for the project. The project was approved with the following conditions:

1. Provide an amended traffic study to evaluate the alternative mitigation methods on 60th st.
2. Address the 4th item in the traffic study to our satisfaction. (proposal presented at the PC meeting was accepted).
3. The sidewalk and pathway connections shall be provided as indicated by staff. 10-foot-wide paths on M-37 and 60th and 5-foot sidewalk elsewhere. The developer will also be responsible to provide an easement to the township for the pathways and the paths and sidewalks shall be constructed to township standards. The developer will be responsible to grade their property to allow the pathways to connect to any adjacent property.
4. All sidewalks and pathways shall be built no later than 5 years after the first building permit is issued.
5. The developer shall agree to a vehicular connection with the properties along 60th st to the east.
6. Comply with the township engineer memo dated 2/1/17.
7. Create Phase III of the Meadowbrooke review board to review future projects in this portion of the development.

The applicant has completed the above items and we have received the revised traffic study with acceptance from MDOT (MDOT has required some items to be updated but has agreed with the improvements as proposed by the applicant).

The PUD Ordinance has been reviewed by the applicant as well as Lacks (industrial user to the east). I believe the language addresses your approval. While I was able to accommodate most of what Lacks wanted in the PUD Ordinance I was not able to accommodate all of their requests. This was mostly because some of the items that they asked for either did not pertain to the project at hand or were for other items that I did not believe needed to be "fixed".

I recommend that you forward a positive recommendation to the Township Board for approval of the PUD amendment and site plan.

The Township Board will hold an additional public hearing to consider your recommendation.

Attachments: Proposed PUD Ordinance
MDOT Traffic study review letter
Site Plan

**ORDINANCE 2 OF 1988
AS AMENDED BY:
ORD.NO. 17 OF 1990
ORD. NO. 22 OF 1994
ORD.NO. 15 OF 1997
ORD. NO 10 OF 2003
ORD. NO 2 of 2012
ORD. NO 8 of 2014**

**AN ORDINANCE TO AMEND THE CASCADE CHARTER TOWNSHIP ZONING
ORDINANCE AND ZONING MAP TO ESTABLISH THE MEADOWBROOKE
BUSINESS PARK PLANNED UNIT DEVELOPMENT PROJECT**

CASCADE CHARTER TOWNSHIP ORDAINS:

SECTION I. AN AMENDMENT TO THE CASCADE CHARTER TOWNSHIP
ZONING ORDINANCE. That the application received from Meadowbrooke Associates
or its assigns (hereinafter referred to as the “Developer”) for Planned Unit Development
designation for their proposed Meadowbrooke Business Park (hereinafter referred to as
the “Premises”) was recommended by the Cascade Township Planning Commission for
approval on November 16, 1987. The Premises is recommended for rezoning from its
former zoning classification thereby requiring this amendment to the Cascade Charter
Township Zoning Ordinance and Zoning Map to incorporate the Planning Commission’s
recommendation and the Cascade Township Board action on February 8, 1988.

SECTION II. LEGAL DESCRIPTION. (as amended by Ord No 22 of 1994; 10/26/94)
(amended by Ord. No. 10 of 2003; 6/25/03)

The Legal Description of the Premises is as follows:

The North one-half of the Northwest one-quarter of fractional Section 31, Town 6 North,
Range 10 West, except the North 50.0 feet and except the West 50.0 feet thereof for
highway purposes as recorded in Liber 1943 at Page 1351 of Deeds, Cascade township,
Kent County, Michigan.

The Southwest ¼ of the Northeast ¼ and the South ½ of the Northwest fractional ¼ of
Section 31, Town 6 North, Range 10 West, except the West 50 feet thereof deeded to the
County of Kent for highway purposes, Cascade Township, Kent County, Michigan.

That part of the S ½, SW 1/4, Lying East of Broadmoor Drive, also the SW ¼, SE ¼, all
in Section 31, T6N, R10W, Cascade Township, Kent County, Michigan, except the
south 270 feet of the East 265.0 feet thereof.

The Northwest ¼, of the Southeast ¼, also the North 1/2, of the Southwest fractional ¼
except that part of the South 98.0 feet of the West 675.0 feet of said North ½, of the
southwest fractional ¼, Lying Easterly of the centerline of Broadmoor Avenue, Section

31, T6N, R10W, Cascade Township, Kent County, Michigan, except the West 50 feet North of Broadmoor Drive for Road purposes.

The east $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of Section 31, T6N, R10W, Cascade Township, Kent County, Michigan excepting therefrom the following described parcels: The East 400.0 feet of the North 800.0 feet thereof; Also the East 400.0 feet of the South 544.5 feet of the North 1553.0 feet thereof; Also the East 450.42 feet of the South 450.42 feet thereof; Also a parcel described as commencing at the Southeast corner of said Section; Thence N 0 degrees 08'05"E 450.42 feet along the East line of said Section to the place of beginning; Thence N 90 degrees 00'W 400.0 feet parallel with the South line of said Section; Thence N 0 degrees 08'05" E 645.52 feet parallel with the East line of said Section to the South line of the North 1553.0 feet of the SE $\frac{1}{4}$ of said Section; Thence N 89 degrees 43'12" E 400.0 feet to the East line of said Section; Thence S 0 degrees 08'05" W 647.52 feet along the East line of said Section to the place of beginning. Also a parcel described as beginning on the South line of Section 31, 650.0 feet N 90 degrees 00'W from the Southeast corner thereof, said point being the intersection of the centerline of an existing county drain and said South section line; Thence N 90 degrees 00'W 674.50 feet to the Southwest corner of said Southeast $\frac{1}{4}$ of Southeast $\frac{1}{4}$; Thence N 00 degrees 05'E along the West line thereof 548.3 feet to the centerline of said county drain; Thence South and Easterly along said centerline to the place of beginning.

Part of the SE $\frac{1}{4}$ of Section 31, T6N, R10W, Cascade Township, Kent County, Michigan described as follows: Commencing at the Southeast corner of said Section; Thence N 0 degrees 08' 05" E 662.34 feet along the East line of said Section to the place of beginning of this description; Thence S 89 degrees 43' 12" W 400.0 feet; Thence N 0 degrees 08' 05" E 435.6 feet parallel with the East line of said Section; Thence N 89 degrees 43' 12" E 400.0 feet to the East line of said Section; Thence S 0 degrees 08' 05" W 435.6 feet along said East line to the place of beginning of this description.

That part of the East $\frac{1}{2}$ of the Northeast $\frac{1}{4}$, Section 31, Town 6 North, Range 10 West, Cascade Township, Kent County, Michigan, described as follows: Commencing on the East line of the Northeast $\frac{1}{4}$, at a point which is South 0 degrees 00' East 1423.45 feet from the Northeast corner of said Section 31; thence South 0 degrees 00' East 488.42 feet to a point which is North 0 degrees 00' West 741.35 feet from the Southeast corner of said Northeast $\frac{1}{4}$; thence South 0 degrees 00' West 396.0 feet; thence South 0 degrees 00' East 373.77 feet to the North line of the South 370 feet of said Northeast $\frac{1}{4}$, thence North 89 degrees 39' East 396.0 feet along said North line to the East line of said Section 31; thence South 00 degrees 00' East 100.0 feet; thence South 89 degrees 39' West 323.0 feet; thence South 0 degrees 00' East 270.0 feet to the South line of said Northeast $\frac{1}{4}$; thence South 89 degrees 39' West 1002.47 feet to the Southwest corner of the East $\frac{1}{2}$, of the Northeast $\frac{1}{4}$, of said Section 31; thence North 0 degrees 00' East along the West line of the East $\frac{1}{2}$, of said Northeast $\frac{1}{4}$, to the North line of said Northeast $\frac{1}{4}$; thence East along the North line of said Northeast $\frac{1}{4}$, to a point which is 405.5 feet West from the Northeast corner of said Northeast $\frac{1}{4}$; thence South 0 degrees 00' East 214.17 feet to a point which is South 0 degrees 00' East 217.0- feet and South 89 degrees 55' West 405.5 feet from the Northeast corner of said Northeast $\frac{1}{4}$; thence North 89 degrees 55' East 9.2

feet, thence South 0 degrees 00' East 1205.87 feet thence North 90 degrees 00' East 396.0 feet to the place of beginning, except liens and conveyances affecting easement granted in Liber 89 of Miscellaneous Records, Page 383. Subject to a right of way for 52nd Street over the North 33.0 feet thereof; also subject to a right of way for Kraft Avenue over the East 33 feet of the Northeast $\frac{1}{4}$, of said Section 31.

Part of the Northeast $\frac{1}{4}$ of Section 31, Town 6 North, Range 10 West; described as: Commencing at the Northeast corner of Section 31, thence south along the East line of said Section 773.45 feet to the place of beginning of this description; thence West perpendicular to the said East line 233.0 feet; thence south parallel with the said East line 100.0 feet; thence East 233.0 feet; thence North along said East line 100.0 feet to the place of beginning, except the East 33.0 feet for highway purposes, Cascade Township, Kent County, Michigan.

That part of the East $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of Section 31, Town 6 North, Range 10 West, Cascade Township, Kent County, Michigan is described as: commencing on the East line of said Northeast $\frac{1}{4}$, 873.45 feet South of the Northeast corner of said Northeast $\frac{1}{4}$; thence Westerly 233.0 feet perpendicular to the said East line; thence Northerly 100.0 feet parallel with said East line; thence Westerly 163.0 feet perpendicular to said East line; thence Southerly 430.0 feet parallel with said East line; thence Easterly 326.0 feet perpendicular to said East line; thence Northerly 20.0 feet parallel with said East line; thence Easterly 70.0 feet to the East line of the Northeast $\frac{1}{4}$ perpendicular to said East line; thence Northerly 310.0 feet along said East line to the place of beginning.

The south 98.0 feet of the West 675.0 feet of the North $\frac{1}{2}$ of the southwest $\frac{1}{4}$, Section 31, Town 6 North, Range 10 West, Cascade Township, Kent County, Michigan, lying Easterly of Broadmoor Avenue.

ALL THAT CERTAIN tract of land with improvements thereon, known as the E $\frac{1}{2}$, of the SE $\frac{1}{4}$, Section 30, T6N, R10W, Cascade Township, Kent County, Michigan, except the North 481.96 feet thereof.

This parcel may be more particularly described as: That part of the SE $\frac{1}{4}$, Section 30, T6N, R10W, described as BEGINNING at the Southeast corner of Section 30; thence S88 degrees 27' 24" W 1326.64 feet along the South line of Section 30; thence N 1 degree 19' 29" W 2171.77 feet along the West line of the E $\frac{1}{2}$, of said SE $\frac{1}{4}$; thence N 88 degrees 33' 50" E 1327.81 feet along the South line of the North 481.96 feet of said SE $\frac{1}{4}$; thence S 1 degree 17' 37" E 2169.29 feet along the East line of Section 30 to the place of beginning.

That part of the Northeast $\frac{1}{4}$ of Section 31, Town 6 North, Range 10 West, described as commencing on the Northeast corner of said Section; thence South 217.0 feet along the East line of said Section to the place of beginning of this description; thence South 89 degrees 55' West 396.0 feet; thence South parallel with said East line of Section 110 feet; thence North 89 degrees 55' East 396.0 feet to the East line of Section 31; thence North

110.0 feet along said line to the place of beginning, except the East 43 feet for highway purposes.

All that part of the East ½ of the NE ¼, of Section 31, T6N, R10W, Cascade township, Kent county, Michigan described as commencing at the Northeast corner of said NE ¼, thence S 0 degrees 00' E 327.0 feet along the East line of said section to the place of beginning for this description; thence continuing S 0 degrees 00' E 446.45 feet along said line; thence S 90 degrees 00' W 396.0 feet; thence N 0 degrees 00' W 445.87 feet to a point that is 327.0 feet South of the North line of said NE ¼; thence N 89 degrees 55' E 396.0 feet to the place of beginning, except the East 43 feet for highway purposes.

The south 270.0 feet of the East 323.0 feet of the East ½ of the Northeast ¼ of Section 31, Town 6 North, Range 10 West, Cascade Township, Kent County, Michigan, except the Southerly 145 feet thereof.

The South 145.0 feet of the East 323.0 feet of the Northeast ¼ of Section 31, Town 6 North, Range 10 West, except the East 43.0 feet thereof for highway purposes.

That part of the SE ¼ of Section 36, T6N, R11 W, City of Kentwood, Kent County, Michigan described as commencing at the East ¼ corner of Section 36; thence S 0 degrees 11'31"E 41.04 feet along the East line of the section to the south right-of-way of relocated Patterson to the point of beginning; thence S 0 degrees 11'31" E 687.16 feet along said East line to a point on the Easterly right-of-way line of Broadmoor Avenue (S.T.L. M-37) thence N 28 degrees 51'11" W 499.80 feet along said Easterly right-of-way line, thence N 61 degrees 10'24" E 14.57 feet along the southerly right-of-way line to relocated Patterson; thence Northerly 337.09 feet along a 531.76 foot radius curve to the left, the long chord of which bears N 43 degrees 00'46" E 331.47 feet to the point of beginning. Subject to Easements and Building and Use Restrictions of record. Also subject to the terms, covenants, and conditions of a special assessment agreement as set forth in Liber 2377 of Deeds, Page 50, Kent County Records, which Grantee shall assume and perform.

The Legal Description of the Premises shall include the following parcels as amended by Ord. No. 10 of 2003

41-19-31-400-002

N 400 FT OF E 400 FT OF E 1/2 SE 1/4 * SEC 31 T6N R10W 3.67 A.

41-19-31-400-003

S 400 FT OF N 800 FT OF E 400 FT OF E 1/2 SE 1/4 * SEC 31 T6N R10W 3.67 A.

41-19-31-400-004

S 544.5 FT OF N 1553 FT OF E 400 FT OF SE 1/4 * SEC 31 T6N R10W 5 A.

The Legal Description of the Premises shall include the following parcels as amended by Ord. No. 2 of 2012

PART OF E 1/2 SE 1/4 COM 1420.0 FT S 0D 59M 29M E ALONG E SEC LINE FROM E 1/4 COR TH S 88D 34M 34S W PAR WITH E&W 1/4 LINE 400.0 FT TO W LINE OF E 400.0 FT OF SE 1/4 TH S 0D 59M 29M E ALONG SD W LINE 133.0 FT TO S LINE OF N 1553.0 FT OF SE 1/4 TH N 88D 34M 34S E ALONG SD S LINE 400.0 FT TO E SEC LINE TH N 0D 59M 29M W 133.0 FT TO BEG * SEC 31 T6N R10W 1.22 A.

SECTION III. GENERAL PROVISIONS. (as amended by Ord No 22 of 1994; 10/26/94)

The Subject Properties shall be governed by the PUD Ordinance provisions contained in Ordinance #2 of 1988 and Ordinance #17 of 1990, as well as those Provisions outlined in Chapter 16 of the Cascade Charter Township Zoning Ordinance (Ordinance No. 11 of 1988, as amended).

SECTION IV. APPROVAL LIMITATIONS. (as amended by Ord No 22 of 1994; 10/26/94)

A. The provisions of this Ordinance are not intended as a substitute for the Cascade Charter Township Zoning Ordinance and the General Development Plan, nor do they in any way relieve the Developer from obtaining all approvals and permits required by the township, except as otherwise expressly provided herein. In the event that a development issue or site plan element is not addressed by this Ordinance, the specifications and requirements of the Cascade charter Township Zoning Ordinance shall be enforced.

B. Except as otherwise provided herein, the Developer and his assigns must meet all applicable provisions and regulations of Cascade Charter Township, as well as federal and state law, and must obtain all necessary approvals from state and county governmental agencies that are required for 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 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 it 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 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 and ordinance amendment.

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 a violation of the Cascade Charter Township Zoning Ordinance.

SECTION V. PURPOSE AND INTENT. (amended by Ord. No. 10 of 2003; 6/25/03)

The Premises occupies a 544 acre tract of land that is proposed to be developed through phases over a period of several years as a complex, unified unit, rather than as an aggregation of individual uses on separate unrelated parcels. Due to its size, magnitude, mixture of land uses and the timing of development over a period of years, in which market conditions may change, special land use regulations are deemed necessary by Cascade Township to establish this Planned Unit Development (PUD) District.

The regulations contained herein are established to define the procedures necessary to insure high quality development on the Premises. Additionally, they are designed: to achieve integration of the development with adjacent land uses and the natural environment; to permit flexibility in the regulation of land development; to encourage variety in design, lay-out and type of structures constructed within the development; to achieve economy and efficiency in the use of land; to encourage the provision of useful open space; and to provide improved employment opportunities particularly suited to the needs of the residents of Cascade Township and West Michigan.

This Ordinance is further intended to permit flexibility in the regulation of land development by allowing the Developer to modify the concept and design of the proposed development as the market may dictate in the future over the course of the development of the Premises. The provisions of this Ordinance are not intended as a substitute for the Cascade Township Zoning Ordinance and General Development Plan, nor do they in any way relieve the Developer from obtaining all approvals and permits required by the Township, except as provided herein.

The northerly approximately 177 acres (Meadowbrooke Phase I) has been developed as platted lots as shown on Prein & Newhof drawing dated May 19, 2003. Further, approximately 13 acres of the Premises have been established as the Town Center Plat located adjacent to Broadmoor Avenue and M-37 as shown on the Prein & Newhof drawing dated May 19, 2003 ("Town Center"). The remainder of the Premises, generally located south of Meadowbrooke Phase I contains approximately 124 acres and is referred to herein as "Meadowbrooke Phase II", while the area generally West of Phase II contains approximately 109 acres is known as Meadowbrooke Phase III.. Simultaneously with adoption of this Amended Ordinance No. 10 of 2003, the 12.34 acre parcels more fully described in Exhibit A attached hereto and incorporated herein have been rezoned Planned Unit Development under this Ordinance of which the 7.34 acre parcel (Parcels A and B on Exhibit A), together with an adjacent 30.424 acres (exclusive of road right-of-way) constitute approximately 37.76 acres more fully described on Exhibit B attached

hereto (“Development Parcel 1”). Meadowbrooke Phase III, formerly part of Meadowbrooke Phase II, as described on Exhibit C attached hereto.

“The establishment of Meadowbrooke Phase III is for the purpose of creating a broader and expanded mixture of uses in the Meadowbrooke Business Park Planned Unit Development

It is recognized that the permitted uses in Meadowbrooke Phase I and Meadowbrooke Phase II are or will be adjacent to permitted uses in Meadowbrooke Phase III including, but not limited to Multifamily units and that such permitted uses in Meadowbrooke Phase I and Meadowbrooke Phase II currently include and will include outdoor storage, truck traffic, loading and unloading of goods including manufactured items, the manufacturing of goods, the warehousing of goods and the parking of trucks on property within Meadowbrooke Phase I and Meadowbrooke Phase II.

The location of the permitted uses in Meadowbrooke Phase I and Meadowbrooke Phase II adjacent and contiguous to the permitted uses in Meadowbrooke Phase III shall be deemed to be compatible and not adverse to the mixture of uses permitted in Meadowbrooke Phase I, Meadowbrooke Phase II and Meadowbrooke Phase III. Notwithstanding that Meadowbrooke Phase III is developed and used for a permitted use including a Multifamily Use, in no event will development approval of the permitted uses in Meadowbrooke Phase I and/or Meadowbrooke Phase II be subject to any standards, requirement or criteria in the Ordinance other than specifically stated in Section X. To the extent the Ordinance would otherwise impose different standards, criteria and requirements where residential uses including Multifamily uses are near or adjacent to the permitted uses in Section VIII, including, but not limited to industrial use such other standards, criteria and requirements shall not govern the development and development approvals for permitted uses in Meadowbrooke Phase I and Meadowbrooke Phase II with the exception of the lighting standards found in Section 19.19 of the zoning ordinance

It is anticipated that the internal public roads and streets within and to and from Meadowbrooke Business Park Planned Unit Development inclusive of the roads and streets within and to and from Meadowbrooke Phase I, Meadowbrooke Phase II and Meadowbrooke Phase III will include a mixture of truck traffic, employee traffic, residential traffic, commercial traffic and pedestrian traffic all of which are deemed to be compatible provided that such internal roads and streets and access to such internal roads and streets shall be required to be designed and developed to accommodate such mixture of traffic and vehicles.

SECTION VI. DEVELOPMENT APPROVAL PROCEDURE. (amended by Ord. No. 10 of 2003; 6/25/03)

It shall be unlawful for any person, firm or corporation to begin the construction of any building or other structure or to begin the alteration or moving of any building or structure within the Premises without receiving site plan review and approval from the Meadowbrooke Review Board and the township Planning Commission as provided in this Section.

A. Composition of the Review Boards. All new construction, alteration, or moving of buildings and structures shall be reviewed by (a) a five (5) member Review Board for Meadowbrooke Phase I and Development Parcel 1 (the “Meadowbrooke I Review Board”) or (b) a five (5) member Review Board for Meadowbrooke II (the “Meadowbrooke II Review Board”) or (c) a five (5) member Review Board for Meadowbrooke Phase III, (the “Meadowbrooke III Review Board”). For purpose of establishing the Review Boards, Meadowbrooke Associates or its assigns is the Developer for the Meadowbrooke I Review Board, and A Lacks Enterprises, Inc. or its assigns shall be the Developer for the Meadowbrook II Review Board and Edward Rose Development Company, L.L.C. or its assigns is the Developer for the Meadowbrooke III Review Board. Each of the Developers shall provide to the Township a copy of any assignment to a successor developer of Meadowbrooke Phase I or Meadowbrooke Phase II or Meadowbrooke Phase III. Each Developer shall appoint three (3) members, with two (2) being officers of the Developer or their delegates and one (1) being a professional with a background in architecture, engineering, landscape architecture and/or urban planning. The two (2) remaining members shall be representatives of Cascade Township appointed by the Township Supervisor and approved by the Township Board. A simple majority of the membership of the Review Boards (hereinafter referred to individually as the “Board” and collectively as the “Boards”) shall constitute a quorum. An affirmative vote of the majority of the Board members present shall constitute approval, approval with modification, or rejection of a site plan.

B. Responsibilities of the Review Board. The Meadowbrooke I Board shall have all approval rights herein with respect to Meadowbrooke Phase I and Development Parcel 1 and the Meadowbrooke II Board shall have all approval rights for Meadowbrooke Phase II and the Meadowbrooke III Board shall have approval rights for Meadowbrooke Phase III. The respective Board shall receive all site plans for all new construction, alteration, or moving of buildings and structures within the Premises. It shall have exclusive power to review all site plans for all development within the Meadowbrooke Phase I or Meadowbrooke Phase II or Meadowbrooke Phase III, as the case may be to insure compliance with Architectural Controls as prescribed in Section IX of this Ordinance. Additionally, the Board shall be empowered to review all site plans for compliance with the Design Standards as setforth in Section X of this Ordinance.

The Board’s review and findings with regard to the Design Standards are subject to review before the Planning Commission. The Board can only grant preliminary approval of a site plan. The Planning Commission shall have the authority to grant final site plan approval, except in the case of the regional shopping center. No site plan can be forwarded to the Planning Commission without the express, written approval of the applicable Board.

Review and approval shall be based upon the following considerations:

1. Conformity and harmony of external design with the development and with neighboring structures.

2. Proper siting of buildings and lots as they relate to street frontage and neighboring uses.

3. Conformity of the plans and specifications with the development requirements as well as the purpose and intent of this PUD Ordinance.

The Review Board shall endeavor to review a submitted site plan within a reasonable time period after its submittal. The Board, however, retains the right to request additional information or modifications as it may deem necessary prior to approval or rejection of the plans and specifications. Once the Review Board has made its determination regarding a proposed site plan it shall transmit its findings and recommendations to the Planning Commission. The transmittal shall include the recommendation of the Board, its rationale and the minutes of all meetings in which the site plan was discussed before the Board.

C. Planning Commission Responsibilities – Following review and approval of a site plan by the Review Board, the Chairman of the Review Board or his authorized representative shall present it to the Planning Commission for final review and approval. Review and approval of the site plan by the Planning Commission shall be based upon the Design Standards set forth in Section X. The Planning Commission has the right to approve, approve with modifications, or deny site plan approval based upon its own findings of fact Subject to this PUD Ordinance.

D. Limitation – Nothing herein shall require submission to or approval of the Review Board or Planning Commission for plans relating to normal maintenance or alterations to the interior of any structure. When such activities are contemplated, the Township Building Inspector shall be contacted as building permits may be required.

E. Appeals to the Zoning Board of Appeals – Nothing herein shall preclude an appeal to the Zoning Board of Appeals of any provision of this Ordinance.

SECTION VII. SITE PLAN REQUIREMENTS.

In order to insure high quality development of the Premises and to achieve integration of a proposed development with the characteristics of the Meadowbrooke Business Park it is necessary for each proposed project to be reviewed within a two-step process. The first step requires a proposed project to be reviewed by the applicable Review Board for aesthetic, architectural, and design qualities. For this reason, the Board shall evaluate and review each proposed project to insure compliance with the Architectural Controls as setforth in Section IX of this Ordinance and the Design Standards setforth in Section X of this Ordinance. The board may also be empowered by the Developer to review each proposed project for compliance for any deed restrictions. The Board has final review power over the Architectural Controls and the deed restrictions (if empowered by the Developer). With regard to the Design Standards, the Board has only advisory powers in their review of proposed projects.

The second step requires a proposed project to be reviewed by the Township Planning Commission. The Planning Commission shall review a proposed project site plan only after it has received a positive recommendation from the Review Board. The Planning Commission shall review a proposed project for compliance with the Design Standards set forth in Section X.

In the case of a regional shopping center, as defined herein, the Planning Commission shall review the project for compliance with the Design Standards set forth in Section X. Due to the size and magnitude that a regional shopping center may encompass, the Planning Commission findings shall only be advisory in nature. The Planning Commission's recommendation shall be forwarded to the Township Board for review and approval using the standards set forth in Section X. The Township Board has the right to approve, approve with modifications, or deny site plan approval based upon its own findings of fact

Any site plan approval for a regional shopping center will be conditioned upon an assessment of available services including police, fire, transportation and utilities. In the event an approval is denied as a result of the aforementioned conditions, the requirements for approval will be submitted to the developer in writing within 15 days of the date of denial.

Once a project has received approval of its site plan it may proceed to obtain the required building permits and approvals from the appropriate Township departments.

SECTION VIII. PERMITTED USES.

For land and buildings, the permitted uses for the Meadowbrooke Business Park PUD are as follows:

A. For land and buildings, the permitted uses for Meadowbrooke Phase I and Meadowbrooke Phase II are as follows:

1. Retail Uses;
2. Corporate Offices;
3. Regional Assembly and Distribution Centers;
4. Research and Development Facilities;
5. Light Manufacturing Facilities;
6. Technology Centers;
7. Corporate Aeroparks;
8. Regional Shopping Center as defined by the Urban Land Institute publication Shopping Center Handbook;
9. Full-Service Hotels;
10. Restaurants not to include freestanding fast food restaurant buildings
; and
11. Accessory uses customary and incidental to any of the above uses. For the purposes of this Ordinance accessory uses shall not include waste disposal facilities of any kind as regulated by Public Act 641 of 1978.

B. For land and buildings, the permitted uses for Meadowbrooke Phase III are as follows:

1. Multifamily-minimum Thirty (30) acres;
2. Professional service establishments providing human health care on an outpatient basis;
3. The following establishments customarily related to medical and dental uses:
 - a. Pharmacies or apothecaries;
 - b. Medical, dental and optical laboratories; and
 - c. Stores offering supportive or corrective garments and prosthetic appliances.
4. Personal service establishments which perform services on the premises, such as, but not limited to, repair shops (watches, radios, televisions, shoes, etc.), tailor shops, beauty parlors, or barber shops, photographic studios, flower shops and print shops;
5. Business establishments which perform services on the premises, such as, but not limited to, banks, (including drive through), loan companies, insurance offices, real estate offices, and other professional offices;
6. Restaurants including fast food restaurants with drive through;
7. Brew Pubs;
8. Restaurants with brew pub as accessory use;
9. Tavern;
10. Retail Uses;
11. Full Service Hotels; and
12. Accessory uses customary and incidental to any of the above uses. For the purposes of this Ordinance accessory uses shall not include waste disposal facilities of any kind as regulated by Public Act 641 of 1978.

USES PERMITTED BY SPECIAL USE PERMIT:

The following uses may be permitted but are subject to the provisions and conditions outlined in Chapter 17.

1. Athletic clubs and health spas and other indoor and outdoor recreation facilities including golf, tennis, racquetball and handball courts and similar facilities, including bowling alleys, ice rinks, and athletic fields.

SECTION IX. ARCHITECTURAL CONTROLS.

In order to maintain a consistent aesthetic quality, the applicable Review Board shall have sole authority to approve or reject building architectural designs within the Meadowbrooke Phase I or Meadowbrooke Phase II or Meadowbrooke Phase III. The following is a partial list of items that will be carefully and thoughtfully scrutinized:

- A. Preliminary building plans and specifications;
- B. Exterior surface treatment, including roofs, with color and texture samples or descriptions;
- C. Scale;
- D. Geometry;
- E. Texture;

- F. Harmony with neighboring sites including the landscaping features of the site;
- G. Sun control devices; and
- H. Color.

SECTION X. DESIGN STANDARDS. (amended by Ord. No. 10 of 2003; 6/25/03)

The following Design Standards shall apply to all building sites within the Meadowbrooke Business Park PUD.

A. Area Regulations.

1. The minimum lot size within the Premises for platted lots and site unit condominiums shall be two (2) acres, and the minimum size of Land Division Parcels (as defined in Section XI) in Meadowbrooke Phase II shall be:
 - (a) forty (40) acres; except
 - (b) one (1) Land Division Parcel may be a minimum size of twenty five (25) acres subject to the public hearing specified in Section XI.A(3) below; and
 - (c) one (1) Land Division Parcel for Development Parcel 1 (approximately 37.76 acres).
2. Building and structures shall be setback from the street right-of-way a minimum of 40 feet in Meadowbrooke Phase I, and a minimum of thirty (30) feet in Meadowbrooke Phase II and III. The setback shall be landscaped and maintained as open space.
3. Where parking on the street side of the building or structure is permitted, such parking areas shall not be closer than twenty-five (25) feet from the public right-of-way in Meadowbrooke Phase I. Where parking on the street side of the building or structure is permitted, such parking areas shall not be closer than five (5) feet from the public right-of-way in Phase II and III. Any parking areas located closer than forty (40) feet from the public right-of-way shall require additional landscaping.
4. Side and rear setbacks shall in no case be less than twenty-five (25) feet. Parking shall be permitted in the side and rear setbacks.
5. A lot may contain two or more buildings, provided that it is directly related to the principle use or enterprise on the lot. Each additional building and/or structure shall meet all setback requirements contained herein.
6. The setback requirements set forth in this Section shall pertain to normal sites within the Premises. These setbacks shall not be reduced unless it can be demonstrated that they create practical difficulties to the owner or site development limitations which may render the property unbuildable. Upon such a finding the setbacks may be reduced up to twenty-five (25) percent by the Planning Commission should one (1) or more of the following site limitation features exist.

- a. The site contains a “wetland”, as defined by the Goermaere-Anderson Wetland Protection Act (P.A. 203 of 1979), which would cause the placement of the building or structure to encroach upon the normal required setbacks.
- b. The site contains topographic slopes which exceed a ten (10) percent grade, which would cause the placement of the building or structure to encroach upon the normal required setbacks.
- c. The site contains Pewamo loan a soil type which would cause the placement of the building or structure to encroach upon the normal required setbacks. This soil type is identified in the U.S. Soil conservation Service publication Soil Survey of Kent County, as unsuitable to building site development because of a high water table.
- d. The site contains “woodlands” which would cause the placement of the building or structure to encroach upon the normal required setbacks. For the purposes of this Ordinance a “woodland” is defined as, “an area of planted material covering one (1) acre or more and consisting of thirty (30) percent or more canopy trees having an eight (8) inch or greater caliper”.
- e. The site contains an archaeological site which would cause the placement of a building or structure or encroach upon the normal required setback.

B. Height Regulations – (as amended by Ord. No. 15 of 1997;12/3/1997)

No building or structure shall exceed a height of forty-five (45) feet, except there may be one hotel, motel or similar use building with a permitted height not to exceed seventy (70) feet as measured in accordance with the Cascade Charter Township Zoning Ordinance. Reasonable mechanical appurtenances and antennas necessary to the function or operation of a building or structure and parapet walls surrounding such appurtenances shall not exceed fifteen feet in height and shall not be counted for the purposes of determining compliance under these limitations.

C. Off Street Parking and Loading Areas –

- 1. All employee and visitor parking shall be provided on-site and not on any streets. Such parking areas may be located in the front, side or rear yards and shall be surfaced prior to occupancy with bituminous concrete or asphalt. Driveways shall be constructed with materials equal to or better than 1-1/2 inches of bituminous concrete 25A aggregate on eight (8) inches of compacted aggregate surface course over suitable sub-base, weather permitting.
- 2. Driveways, parking and loading areas may require curb and gutter upon the determination of the Planning Commission. The curb and gutter installation shall be consistent with the requirements established by the Kent County Road Commission.
- 3. The area between the driveway, off-street parking area and the street right-of-way shall be landscaped and maintained in a neat and orderly condition. The use of berms to insure that parking/loading areas are screened from public view may be required. In particular, loading docks and areas where commercial trucks and

vehicles are stored shall be screened. Provided that loading docks are screened as required by Section X.G, the loading docks and loading areas to be constructed on buildings developed in Meadowbrooke Phase II shall be permitted to face and/or be across from the Multifamily units in Meadowbrook Phase III.

4. All off-street parking areas shall be drained so as to prevent drainage onto abutting properties unless there is a common drainage system shared by all the abutting properties.

5. Any lighting fixtures used to illuminate off-street parking shall be so arranged as to reflect the light away from adjacent properties, streets or highways.

D. Parking Requirements –

1. Off-street parking shall be required as set forth in the standards published by the Institute of Transportation Engineers report entitled Parking Generation 2nd Edition November 1987, as revised.

2. Each off-street parking space for automobiles shall be a minimum of 180 square feet in area, with a minimum width of nine (9) feet, exclusive of access drives or aisles. There shall be provided a minimum access drive of ten (10) feet in width, and where a turning radius is necessary, it shall be of such an arc as to reasonably allow an unobstructed flow of vehicles. Parking aisles shall be of sufficient width to allow a minimum turning movement into and out of parking spaces. The minimum width of such aisles shall be:

a. For 90 degree parking – the aisle shall be a minimum of 24 feet in width;

b. For 60 degree parking - the aisle shall be a minimum of 18 feet in width;

c. For 45 degree parking – the aisle shall be a minimum of 13 feet in width; and

d. For parallel parking – the aisle shall be a minimum of 11 feet in width.

3. In parking areas containing 50 or more parking spaces, up to twenty percent (20%) of the parking spaces may be set aside for small or compact automobiles. The dimension for these parking spaces shall have a minimum width of 7-1/2 feet and a minimum length of 15 feet. These areas shall be conspicuously designated as reserved for small or compact cars only.

4. The number of parking spaces required for land or buildings used for two or more purposes shall be the sum of the requirements for the various uses, computed in accordance with Section X D.1 of this Ordinance.

5. Upon the determination of the Planning Commission, up to twenty-five (25) percent of the required parking area may be held in reserve. The reserve parking area shall be landscaped and maintained in a neat and orderly fashion. The reserve parking area shall remain as undeveloped space until:

a. Such time as the parking is needed as a result of an expansion in business activity as determined by the Planning Commission; or

b. The use changes to a more intensive use as determined by the Planning Commission.

E. Signs (as amended by Ord. No 17 of 1990; 9/26/90)

1. For the purposes of this Section, the provisions of Ordinance 12 of 1988, as it may be amended, of Cascade Charter Township shall apply except as follows:
 - a. No billboards, temporary or portable signs, banners, searchlights, loudspeakers, amplifiers or similar devices will be permitted in this PUD District.
 - b. One on-site temporary sign for the purpose of describing the building development, or advertising the sale or lease of a site or building shall be permitted to occupancy. The color, character and wording of the sign shall be prescribed by the Developer.
 - c. Signs may be illuminated, however, no intermittent or flashing illumination shall be permitted.
 - d. The use of equipment, vehicles, and other similar objects shall not be permitted for the purposes of advertising or signage.
 - e. For the purposes of this Section, in determining the types of signs permitted, the provisions of Section 6.06 of the Cascade Charter Township Sign Ordinance, as it may be amended, shall apply. All other general provisions of the Cascade Charter Township Sign Ordinance, as they may be amended, shall apply. (as amended by Ord. No. 15 Of 1997; 12/3/1997)
2. No billboards, temporary or portable signs, banners, search lights, loudspeakers, amplifiers or similar devices will be permitted in this PUD District.
3. One on-site temporary sign for the purpose of describing the building development, or advertising the sale or lease of a site or building shall be permitted prior to occupancy. The color, character, and wording of the sign shall be prescribed by the Developer. Such signs shall not exceed thirty-two (32) square feet.
4. Signs may be illuminated. However, no intermittent or flashing illumination shall be permitted.
5. Phase III may include the following signs as shown on an approved signage plan for Phase III:
 - a. Three (3) large Twenty (20) foot tall, One Hundred Twenty-Five (125) square feet development signs.
 - b. One (1) Fifteen (15) foot tall, One Hundred (100) square foot subdivision sign.
 - c. One (1) Eight (8) foot tall, Thirty-Two (32) square foot free standing point of service signs for each commercial lot.
 - d. One (1) Eight (8) foot tall, Twelve (12) square foot free standing information sign for the buildings with a single tenant.”

F. Temporary Buildings –

1. No structure of a temporary nature; trailer, tent, or construction shack shall be constructed, placed or maintained on the Premises except accessory to and during construction of a permanent building or structure.
2. Approval of the temporary building or structure shall be required in advance by the Review Board. Under no circumstances shall the temporary building or structure be used primarily for advertising purposes.

G. Landscaping –

1. Every site upon which a building or structure has been placed shall be landscaped in accordance with plan and specifications approved by the Planning Commission. The entire building site, including curb parkways, shall be appropriately landscaped with grass, canopy and coniferous trees, shrubs and ground cover. Expansion areas shall be placed in grass and kept weed free. Any areas which become disturbed for any reason shall be restored in accordance with the original landscape plan unless approved otherwise in writing by the Planning Director. The proximity and adjacency of Multifamily residential uses to non-Multifamily residential uses within the Meadowbrooke Business Park Planned Unit Development, shall not require any additional buffering and/or landscaping between such uses and such buffering, landscaping and setbacks shall solely be governed by Section X.

2. Landscaping shall be installed within ninety (90) days of completion of the building or structure, unless permitted in writing by the Planning Director at a later date.
3. All landscaping shall be hardy plant materials and maintained thereafter in a neat and orderly manner. Withered and/or dead plant materials shall be replaced within a reasonable period of time but no longer than one growing season. All new trees used in a landscaped area shall have a minimum caliper of 1-3/4 inches.
4. Every effort shall be made to retain existing trees. Trees with a caliper of five (5) inches or more shall not be removed without written approval of the Planning Director.
5. Underground sprinkling systems shall be installed where necessary to service landscaped areas and such areas shall be neatly maintained, including mowing, fertilizing and pruning.
6. Parking and loading areas shall be landscaped and/or fenced, as shown on the approved landscape plan, in such a manner as to interrupt or screen said areas from view from access streets.
7. The perimeter lots or parcels which abut 52nd Street, 60th street, Kraft Avenue, Patterson Avenue, and Broadmoor Avenue, shall have a 15 foot wide bufferstrip along the road right-of-way that is landscaped with:
 - a. A minimum of five (5) canopy or coniferous trees per one hundred (100) linear feet; and
 - b. A minimum of fifteen (15) shrubs per one hundred (100) linear feet.

The landscaping within the bufferstrip may be clustered to achieve the maximum aesthetic and screening capabilities of the selected plant materials. An undulating berm not exceeding six (6) feet and a 3:1 slope may be permitted within the required bufferstrip. Placement of landscaping under this subsection shall be in accordance with Section X.G.2 of this Ordinance.

H. Outside Storage Areas – Outside storage areas which are a permitted use must be specifically approved by the Planning Commission and shall be effectively screened from view as required by Section X.G. and which shall not be required to be setback from any property line by more than one hundred (100) feet

I. Curb Cuts – No permanent individual use curb cuts shall be permitted on Broadmoor Avenue. Individual curb cuts on the perimeter roads (ie. 52nd Street, 60th Street, Kraft Avenue and Patterson Avenue) shall be permitted at intervals of not less than three hundred (300) feet. Shared driveways shall be utilized where reasonably possible to minimize the number of curb cuts. Curb cuts on roads within the Premises shall, to the extent reasonably possible, be aligned with curb cuts on the opposite side of such roads.

J. Design Standard Modifications – The design standards contained herein may be amended by the Planning Commission. Such modifications may only be considered upon the finding of the Review Board that the change will result in a project that is in keeping with the purpose and intent of this PUD Ordinance.

K. Water and Sewer Service – Public water and sewer service must be available to a building site before approval of a site plan can be obtained. All buildings and structures located within the Meadowbrooke Business Park PUD shall be connected to public water and sewer systems.

L. Meadowbrooke Phase II Infrastructure.

In connection with site plan approvals for Meadowbrooke Phase II, the Developer of Meadowbrooke Phase II shall:

- (1) Assure that drainage of Meadowbrooke Phase II is established as required by the Township's Storm Water Drainage Ordinance and/or the Kent County Drain Commission;
- (2) As required by Section X K hereof, public water and sewer service must be available at a building site before approval of a site plan can be obtained; and be developed in accordance with the Township's utility plan as laid out by the Township engineer; and
- (3) include the location of curb cuts and roads in accordance with this Ordinance.

M. Meadowbrooke Phase III Infrastructure.

In connection with site plan approvals for Meadowbrooke Phase III, the Developer of Meadowbrooke Phase III shall:

- (1) Assure that drainage of Meadowbrooke Phase III is established as required by the Township's Storm Water Drainage Ordinance and/or the Kent County Drain Commission;
- (2) As required by Section X K hereof, public water and sewer service must be available to a building site before approval of a site plan can be obtained; and be developed in accordance with the Township's utility plan as laid out by the Township engineer; and

- (3) include the location of curb cuts and roads in accordance with this Ordinance .

SECTION XI. SUBDIVISION PLATTING. (amended by Ord. No. 10 of 2003; 6/25/03)

A. Subdivision or Platting.

(1) The entire Premises shall be either (a) platted in accordance with the Michigan Subdivision Control Act. , or (b) established as one or more site unit condominiums in accordance with the Township’s Site Unit Condominium Ordinance and the Michigan Condominium Act. Subject to the minimum areas specified in Section X A.1. hereof, the Developer may also divide portions of Meadowbrooke Phase II or Meadowbrooke Phase III by land division or property line reconfigurations pursuant to the Michigan Land Division Act (each such parcel is referred to as a “Land Division Parcel”).

(2) Should future market conditions require smaller lots, the Developer may request approval from the Township Board (and the Township Board shall not unreasonably withhold approval) to split any platted lot or site condominium unit. No more than a total of three (3) platted lot splits or site condominium splits resulting in a lot of less than two (2) acres shall be approved by the Township Board within (a) Meadowbrooke Phase I, or (b) Meadowbrooke Phase II, or Meadowbrooke Phase III during a calendar year.

(3) If Developer shall (i) request the Township to approve the split of any platted lot or site unit condominium in accordance with Subsection A(2) above, or (ii) if Developer shall request approval by the Township for a Land Division Parcel with a minimum size of twenty five (25) acres, as permitted by Section X A.1. (b) hereof, then notice of a public hearing shall be given to surrounding property owners within five hundred (500) feet. The notice shall be mailed no later than seven (7) days prior to the date of the public hearing to surrounding property owners.

B. Dedication of Public Facilities. This development shall include the dedication of public streets, utilities and certain required sites for public facilities. These properties and/or facilities including water and sewer services on the Premises, shall be constructed and installed by the Developer at their expense and deeded to the appropriate State, County, or Township agency without cost. Notwithstanding the above requirement the Developer shall not be obligated to pay for any oversizing of utilities (sewer and water) which is required to serve areas outside of the Premises.

C. Common Areas – The Developer shall incorporate common areas (i.e. theme entrances, landscape islands, traffic circles, etc.) in the development layout at its cost. At the time of platting, landscaping plans shall be submitted to the Township for their approval. Plans for signs, street lighting and other street furniture items shall be submitted to the Township for their record.

SECTION XII. FIRE PROTECTION.

The Developer agrees to donate a two (2) acre site located in the Premises, which site borders upon either 52nd Street or within six hundred (600) feet of 52nd Street on Kraft Avenue, for the purpose of providing a capital base to the Township for the provision of fire service to the southwest portion of the Township, including the Premises. This site will be identified in the Meadowbrooke Corporate Center Plat Number 1. Conveyance of title to this two (2) acre site will take place within sixty (60) days following groundbreaking for building construction in any subsequent phase of this development. In addition, prior to conveyance of title, the Developer will cause to have completed a study to determine the preferred method of providing fire protection to the southwest portion of the Township. The Developer agrees that the Township is not required to use the donated site for the location of a fire facility and may sell the site and use the proceeds to provide a facility at another site or to provide fire protection by another method, so long as the Premises are served by the facility which is constructed or by the services which are provided. If a special assessment district is established for fire protection service which includes the Premises, the Developer agrees to pay its prorata share of the assessment less a credit for the value of the donated land. The value of the donated land shall be determined by an independent appraisal or as otherwise agreed to by the Developer and the Township.

SECTION XIII. IMPROVEMENTS; PERFORMANCE GUARANTEE

To insure compliance with this Ordinance and any conditions herein, Cascade Township shall require the Developer to submit a surety bond or irrevocable letter of credit to be determined by the Township Board within 60 days of the effective date of this Ordinance. This surety bond or letter of credit shall be used by the Township to recover expenditures associated with planning and development activities of the Premises, including, but not limited to, the engineering, legal, and infrastructure costs which may become the liability of the Township.

The Township shall not draw upon the surety bond or letter of credit unless Meadowbrooke Associates fails to promptly reimburse the Township for such billed expenses, within ninety (90) days, following the billing date.

SECTION XIV. CONCEPTUAL MASTER DEVELOPMENT PLAN (amended by Ord. No. 8 of 2014; 11/5/14)

The Meadowbrooke Phase I shall conform in as much as reasonably possible with the Township Supervisor on February 8, 1988. The Developer has provided the Township with an updated conceptual master development plan for Meadowbrooke Phase II and Development Parcel 1, prepared by Moore & Bruggink dated August 28, 2014 (the "Meadowbrooke Phase II Concept Plan"). In the development of Meadowbrooke Phase II, the Developer shall not be limited by specific road alignments and utility locations as shown on the Meadowbrooke Phase II Concept Plan, but shall either conform as much as

reasonably possible with the Meadowbrooke Phase II Concept Plan or with an alternative master plan for Meadowbrooke Phase II as shall be approved by the Township.

SECTION XV. EFFECTIVE DATE.

Section 2. Effective Date

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

Section 3. Effect.

The Cascade Charter Township Zoning Ordinance as amended, and the remainder of the Ordinance "2 of 1988, as amended, except as otherwise expressly amended herein, shall remain in full force and effect.

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

Yeas:

Nays:

Absent:

Cascade Charter Township Clerk

CERTIFICATION

I hereby certify the foregoing to be a true copy of an Ordinance adopted at a Regular Meeting of the Cascade Charter Township Board on the day of June, 2017.

Cascade Charter Township Clerk



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF TRANSPORTATION
GRAND RAPIDS TRANSPORTATION SERVICE CENTER

KIRK T. STEUDLE
DIRECTOR

May 8, 2017

Peter C. LaMourie, P.E. PTOE
Lead Transportation Engineer
Progressive AE
1811 4 Mile Road NE
Grand Rapids, Michigan 49525

Dear Pete:

Please see the following comments on the revised Edward Rose Garden Apartments Development traffic impact study (TIS) from the Michigan Department of Transportation (MDOT), based on our review:

On the report:

- 1) Page 11 – the 60th WB through AM movement is also at LOS E and should be listed with the other failing movements (this has degraded from the existing LOS of D). Please make sure Kent Co Road Commission (KCRC) has reviewed, and incorporate any mitigation they may recommend.
- 2) Page 26 – the LOS and delay listed for the WB ‘through’ movement of NB M-37 at Patterson (N) is shown at D and 43.6 seconds, respectively, while the model includes queuing delay that turns the LOS to E with 69.3 seconds of delay. The proposed mitigation shown on the next page should alleviate this, but the queue interaction should be taken into account for this intersection due to the non-standard movement and likelihood of a large queue since it is near capacity.

On the model(s):

- 3) At least one of the all-red times are off for all of the intersections of 60th and it’s crossovers as well as the two Patterson intersections in all the models. Please re-run all models with this corrected, and update the study accordingly.
- 4) The yellow times are incorrect for the crossover signals at 60th for all models. Please re-run all models with this corrected, and update the study accordingly.
- 5) For all AM Models, the X-Over north of 60th seems to be running the PM dial. Please re-run all affected models with this corrected, and update the study accordingly.
- 6) For the intersection of 60th in the FUT 2022 and 2027 show a 60th street split that is not reflective of the current timing permit. Please re-run all affected models with this corrected, and update the study accordingly.
- 7) The North Patterson intersection needs to have the NB right-turn Green arrow (RTGA) modeled for all scenarios. Additionally, the RTGA should have the protected phase as phase 3 not phase 2. Please re-run all affected models with this corrected, and update the study accordingly.

- 8) For the intersection of SB M-37 @ 60th
 - a. Delete node to add lane
 - b. Then remove the southbound right-turn only lane
 - c. Then change laneage to four throughs and a shared through/right
 - d. Then change the number of storage lanes to two
 - e. Then change the storage and taper to 300' each

- 9) For the intersection of SB M-37 @ X-Over N of 60th, change the turn type to permissive/protected. The protected phase is 2 and the permissive phase is 1.

- 10) For the intersection of NB M-37 @ X-Over S of 60th, change the turn type to permissive/protected. The protected phase is 4 and the permissive phase is 2.

- 11) For the new X-Over south of S Patterson in the "no BAKIMP" model, change the number of storage lanes to two (this maintains the existing lane alignment).

- 12) For the intersection of M-37 NB and Patterson, the storage length should be increased to 410'.

- 13) General model: reset defaults or provide reasoning for other values for the following
 - a. 1900 Veh Saturation
 - b. Use 0.94 for headway factors

- 14) It seems that in the 2027 projected conditions it is still assumed that MDOT will have already added a 3rd SB through lane from north of the north Patterson intersection to north of the 60th Street intersection. As discussed in our meetings, this improvement is not currently in MDOT's 5-year plan, and should not be included in any traffic model. Please re-run all affected models with this corrected, and update the study accordingly.

- 15) Queue lengths in the AM peak for NB M-37 at the south Patterson intersection are fairly close to the proposed Town Center Dr connection for the 2022, 2027, and 2027 mitigated conditions. It will be critical to ensure that the proposed Town Center Dr connection and associated crossover are located far enough from the south Patterson intersection to accommodate these queue lengths. Also, the right-turn lane for NB M-37 to the proposed Town Center Dr connection will need to be long enough to reach the proposed SB to NB M-37 crossover. Once the future traffic models have been revised and updated queue lengths are obtained, please include a discussion of distances from the south Patterson intersection for the new improvements that will accommodate the queue lengths.

With these modifications to the models and report, MDOT can tentatively approve the general concept and location of the extended Town Center Dr connection to NB M-37, the associated SB to NB M-37 crossover, and the dual-lefts for the NB to SB M-37 crossover just north of 60th St. Details of the construction of these improvements, as well as any changes to the M-37 drainage, will still need to be approved through MDOT's construction permit process. If the trip generation intensity of the future outlots changes significantly from this report, then the impact of those changes should be evaluated. Also, MDOT reserves the right to close and/or remove the new SB to NB M-37 crossover if operational issues arise on M-37.

If you have any questions, please contact either me or Art Green, Grand Rapids Transportation Service Center Manager at 616-464-1800.

Sincerely,

Jason E. Cole, P.E.

Digitally signed by Jason E. Cole,
P.E.
DN: cn=Jason E. Cole, P.E.,
o=MDOT, ou,
email=colej@michigan.gov, c=US
Date: 2017.05.08 12:29:16 -0400

Jason E. Cole, P.E.
Assistant Operations Engineer

Cc:

A. Green
J. Ealy
D. Adelman
W. Seeger
A. Lipset
S. Peterson
T. Haagsma
K. Keen
N. Schilling
M. Harrison
K. Rimes

