

CHAPTER 21

“NC-PUD” NEIGHBORHOOD COMMERCIAL PUD DISTRICT

SECTION 21.1 TITLE AND PURPOSE. The Neighborhood Commercial Planned Unit Development District, designated the NC-PUD District, is intended for commercial uses of limited scope, in order to provide commercial and service opportunities for the local community. The district is intended to provide flexibility in the design of limited scale commercial developments, in accordance with standards specified in this chapter.

The NC-PUD District does not include and shall not be approved for regional, area-wide or large-scale commercial buildings or developments. The zone does not permit large scale commercial centers which depend for their success upon patronage by a large shopping population drawn from a region or other area greater than the local community. Accordingly, the NC-PUD district does not permit large department stores, warehouse clubs or warehouse stores; large discount stores, malls, strip malls, shopping centers; superstores or other similar large scale commercial buildings.

The NC-PUD District is intended to authorize commercial uses which serve primarily the township and the nearby and surrounding area. Thus, the district is intended for smaller scale stores and other smaller scale commercial buildings of limited scope and impact and which do not depend for their success upon patronage by large shopping populations drawn from a region or other substantial areas beyond the local community.

The NC-PUD zone permits a variety of commercial uses, in order to provide a reasonable variety of shopping and other commercial and service opportunities for nearby residents, workers and visitors, and to a lesser extent passing traffic. NC-PUD uses do not include those uses which are intended to attract customers from a larger area who would not otherwise travel to the district. NC-PUD districts are expected to be developed under a single unified site plan so as to insure that all permitted uses are compatible in both function and design and that safe and efficient traffic flow is achieved.

SECTION 21.2 USES PERMITTED. Except as otherwise provided by this Chapter, land in the Neighborhood Commercial Planned Unit Development zone may be used only for the purposes (or a combination of the purposes) provided below:

- a. Retail shops and stores including but not limited to:
 - Antique sales
 - Appliance store
 - Art gallery and artist supply store
 - Automotive parts and accessories
 - Bakeries
 - Book stores
 - Card shops
 - Clothing store
 - Consumer electronics
 - Decorator shops (paint, wallpaper, lighting, floor covering)
 - Fabric shop
 - Florist

- Furniture store
 - Garden shop
 - Grocery store
 - Hardware store
 - Ice cream shop
 - Jewelry store
 - Butcher shop
 - Music store
 - Office supply store
 - Pharmacy
 - Photographic studios and camera shop
 - Photocopy and printing shop
 - Sporting goods
 - Video rental and sales
- b. Personal service establishments including but not limited to:
- Barber shops
 - Beauty shops
 - Dry cleaning and laundry
 - Health and physical fitness establishments
 - Shop repair shop
 - Tailor shop
- c. Professional offices of doctors, dentists, lawyers, accountants, realtors, architects, engineers, business or financial consultants or other professionals and corporate, executive, administrative or sales offices including incidental sales of medical and dental aids.
- d. Government offices.
- e. Medical and dental clinics.
- f. Sit down and carry-out restaurants, delicatessens, and coffee houses. Those uses with drive-in or with drive-through facilities are not permitted.
- g. Banks and credit unions and other financial institutions.
- h. Animal hospitals, veterinary clinics including boarding provided that all animal runs shall be totally enclosed.
- i. Other principal uses which are determined by the Planning Commission (a) to be similar in character and operation to the permitted uses described above; (b) to be closely complementary and to enhance permitted uses; and (c) to be compatible with the intent and purposes of the NC-PUD District. Such uses, however, shall not be of a size or scope which would attract users from beyond the local community but instead shall be designed to serve the local community.
- m. Uses, structures, and buildings which are customarily incidental to the permitted principal use including the temporary outdoor storage and sale of merchandise when accessory and contiguous to the principal building.

- n. The following uses are specifically prohibited in the NC-PUD zoning district:
 - Large department stores
 - Large discount stores
 - Open air businesses
 - Movie theaters
 - Retail building supply stores
 - Warehouse type stores and buying clubs
 - Automobile service and gas stations
 - Restaurants with drive-in or drive-through facilities
 - Vehicle wash establishments
 - Motor vehicle sales
 - Manufactured homes sales or service
 - Recreational vehicle sales or service
 - Motels and hotels

SECTION 21.3 SITE DEVELOPMENT STANDARDS AND CONDITIONS. Except as otherwise provided in this Chapter, development plans for the use of land within a NC-PUD zoning district shall at a minimum comply with the standards and conditions provided in this Section as well as the standards and conditions applicable to all PUD districts as set forth in Chapter 14 and any other applicable provisions of this Ordinance.

- 1. *Building Size, Placement and Appearance*

In order to achieve the intent and purpose of the Neighborhood Commercial Planned Unit Development Zone, it is important that individual commercial buildings and attached commercial buildings be of a size and scale which are reflective of neighborhood commercial developments.

 - a. A free-standing building containing no more than one commercial establishment shall not exceed 50,000 square feet of gross floor area. Up 10,000 square feet of additional gross floor area may be allowed by the Planning Commission based upon the following site planning criteria:
 - i. Overall design of the project relative to its compatibility with nearby existing or proposed land uses.
 - ii. Proximity to adjacent existing and future land uses.
 - iii. Topography of the site.
 - b. A building which contains two or more commercial establishments shall not exceed 75,000 square feet of gross floor area. Such building shall have a roof line common to the commercial establishments.
 - c. The building floor to land area ratio for all buildings on the site shall not exceed 0.20. This ratio shall be determined by dividing the sum of the gross floor area for all buildings by the gross site area excluding land within existing road rights of way.
 - d. For NC-PUD developments which contain five acres or less the Planning Commission may recommend and the Township Board may approve a floor area ratio of up to 0.25. In determining whether or not to allow this increase the

Planning Commission and Township Board shall each find based upon the facts presented by the applicant that the following criteria have been met;

- i. The increased size of the project will not create traffic hazards on site or on adjacent roadways.
 - ii. The additional floor area allowed will not result in buildings which are out of scale with the size of the parcel.
 - iii. The additional floor area allowed will not result in building size or design which is incompatible with the character of nearby Township uses.
 - iv. The additional floor area is necessary to achieve a development size and mix of land uses for long-term viability of the NC-PUD.
 - v. The increase in floor area allowed will still achieve the intended purpose of the NC-PUD district.
- f. A proposed commercial use shall not be of a size which would attract substantial numbers of users who would otherwise not utilize adjacent streets to reach the development. In order to determine compliance with this standard the Planning Commission in reviewing the size of a proposed commercial use may require a market study to demonstrate the area which a proposed commercial use is designed to serve.
- g. Buildings and structures shall have a unified, attractive, architectural theme reflective of the character of nearby buildings in the Township. Buildings shall be designed to avoid massive walls or facades, flat roofs and box like building appearance which would be out of character and scale with existing nearby buildings which are located within the Township. Buildings with residential or varied roof lines shall be encouraged.
- h. Buildings shall be located so they do not detract from or predominate the existing view along Township roadways. When a NC-PUD area abuts land zoned for residential use building setbacks should be such that the privacy and quiet of nearby residents is not adversely affected.
2. *Area and Yard Requirements*
In order to be rezoned to NC-PUD, a site must contain at least 3 acres. This requirement may be reduced by the Planning Commission if, in its discretion, it is determined that the PUD can be developed on a smaller parcel in accordance with the intent and standards of the NC-PUD district.
3. *Building Setbacks*
The setback from all lot lines including the right of way lines for public and private roads abutting the site or serving the interior of the site shall be determined for the PUD by the Planning Commission and Township Board, based on the application of site planning criteria to achieve integration of the development with

the characteristics of the site area. In making these determinations, the criteria considered shall include the following:

1. Number, type and size of buildings.
2. Proximity to adjacent existing and future land uses.
3. Preservation of existing vegetation or other natural features on site.
4. Topography of the site.
5. Provision of water, sanitary sewer, and storm sewer.
6. Overall design of the development relative to its capability with nearby existing or proposed land uses.

The front yard, side yards, and rear yard shall be kept clear and unobstructed and shall not be used for the storage or disposal of any materials, except in approved locations within the PUD, but shall be screened or landscaped or used for off-street parking and for loading and unloading in accordance with the purposes of the PUD.

4. *Landscaping*

- a. Landscaping shall be provided as required in Chapter 29 of this Ordinance. A separate landscaping plan shall be submitted along with the PUD site plan required by Chapter 13.
- b. A minimum 25 feet wide landscaped strip shall be provided along that portion of the property which abuts a public street or parcel zoned for residential use.

Earthen berms may be required in order to improve the screening capabilities of the landscaped area.

- c. Landscaping shall be provided adjacent to all buildings in order to reduce the visual impact of larger buildings, provide shade, and improve building appearances.

5. *Access and Circulation*

The control of traffic is an important consideration in the development of a NC-PUD zoned parcel. The following standards shall be used by the Planning Commission in determining access to a site.

- a. For a site located on the East Beltline a driveway or driveways may be allowed onto the Beltline if it is demonstrated through a traffic impact study that the traffic flow on the East Beltline will not be seriously disrupted.
- b. Driveways permitted on the East Beltline shall be provided according to the standards contained in the Grand Rapids Charter Township 1992 Plan for the East Beltline and the 1998 North East Beltline Joint Development Plan.
- c. A traffic impact study may be required to be submitted with the Preliminary Development Plan. The study if required shall provide data

and findings for on site and off site traffic control measures, information on the amount of traffic generated by proposed uses, the impact of traffic on adjacent and nearby street, and other traffic information as required by the Planning Commission.

- d. Service drives shall be provided as recommended in the 1992 Plan for the East Beltline and the 1998 North East Joint Development Plan.

6. *Parking and Pedestrian Circulation*

- a. Except as otherwise approved under Section 14.17 of this Ordinance, off-street parking and loading spaces shall be provided as required by Chapter 28 of this Ordinance.
- b. Parking areas wherever reasonably possible shall be placed at the side or rear of buildings. If placed in front of buildings parking areas along the street shall be set back a sufficient distance from the right of way so as not to detract from the existing visual character along the roadway. Parking areas shall be screened by earthen berms and by plantings as required herein.

7. *Lighting*

- a. Lighting fixtures used to illuminate off-street parking areas and for security purposes shall be arranged as to deflect the light away from any adjoining residential properties or streets and highways.
- b. Lighting fixtures within 150 feet of any residential area shall not exceed 20 feet in height. All other fixtures shall not exceed 35 feet in height.
- c. Blinking, flashing, lights which change intensity and beacon lights are not permitted.
- d. Interior building lights shall be arranged and designed so as not to be a distraction or a visual nuisance to passing motorists or nearby residents or property owners.

8. *Storm Drainage*

- a. Storm drainage facilities shall be designed to respect the natural drainage pattern of the site. Measures shall be taken to prevent roadway and parking lot oil and gas residues and other pollutants from being discharged to the natural drainage systems.
- b. Storm water detention ponds shall be required if necessary for the containment of estimated surface water run off. Such ponds shall be placed at locations that will not detract from visual amenities along the streetscape or result in a hazard to pedestrians in the immediate area.
- c. A storm water management plan shall be submitted along with the Final PUD Site Plan. The plan shall provide information on how storm water will be controlled during and after construction. This plan shall be subject to the review and approval of the Township Engineer.

- d. Compliance with any applicable Township storm water management ordinance.

SECTION 21.4 SIGNS. Signs in a NC-PUD district shall comply with the regulations contained in Chapter 30 of this Ordinance. Drawings illustrating sign design, size, location and lighting shall be submitted to the Planning Commission in its review of the NC-PUD rezoning application.