

## 155.040 Article 3 Zoning District Regulations

### 155.044 TCD Town Center District

#### Intent

The TCD Town Center District intends to provide a vibrant mixed-use civic center. Experience has shown that successful cities have a town center focal point that integrates civic, convenience and community retail businesses and residences in a coordinated and pedestrian-friendly land use strategy. To this end, this district intends to achieve integrated site planning of adjoining developments to achieve a pedestrian-friendly environment, compatibility of architectural scale and character, compatibility of land uses, higher-density residential developments, support retail and civic core.

***In keeping with the above intent, the TCD Town Center District is intended to serve the following specific goals:***

- (1) ***Meet the goals and intent of the master plan and provide for land uses and design that supports and furthers the concept and vision of the town center.***
- (2) Realize the full economic potential of this center through coordinated mixed-use and high-intensity planning concepts.
- (3) Promote and enhance recreation opportunities through well-designed private parks in new residential communities and improved connections to the Rouge River.
- (4) Promote coordination of private and public efforts in the planning and development of needed infrastructure improvements.
- (5) Provide for orderly and integrated planning to avoid fragmentary or speculative development.
- (6) Prevent long-term vacancy, blight, decay or abandonment.

#### Principal Uses Permitted

In the TCD District, no building or land, except as otherwise provided in this chapter, shall be erected or used except for one or more of the following specified purposes. Review of site architectural and landscape plans is required to find proper relationships between architectural scale and character; vehicular and pedestrian traffic safety; interconnected open space and recreation areas; interconnected pedestrian and non-motorized walks and paths; and appropriate mixture of land uses.

- (1) Multiple-Family Residential Buildings.
- (2) Retail Businesses that are consistent with the vision of the district.
- (3) Personal Service Establishments.
- (4) Hotels.

- (5) Professional Offices.
- (6) Financial Institutions.
- (7) Restaurants (Carry-out and Standard) – Delivery services shall be accessory to the primary use only.
- (8) Public Parks and Parkways.
- (9) Public and Civic Buildings.
- (10) Child and Adult Day Care Center as a limited accessory use.
- (11) Uses similar to the above that are consistent with the vision of the district.
- (12) Uses and structures accessory to the above.
- (13) Theaters, Assembly Halls, and Concert Halls.
- (14) Automobile Parking space to be provided as required in Section 155.070 Article 5 General Development Standards.

#### **Application Procedure and Submission Requirements**

The Planning Commission shall approve any proposed development, as well as any exterior renovations, additions, structures, signs, and changes of uses either existing at the time any parcel is zoned TCD Town Center District or commenced or erected thereafter. An owner or applicant shall submit a written application to the Commission describing proposed uses, design, extent, and development timetable and the legal interest of the applicant. In addition, the applicant shall provide the following requirements along with relevant supporting documentation:

- (1) A recent “as built” survey, certified to the City of Inkster and containing a metes and bounds legal description or plat description of the property exhibiting the location of all property improvements, total acreage, and site measurements.
- (2) Copies of all instruments creating restrictions hindering development of the property.
- (3) A site plan conforming to the requirements of Section 155.286 Site Plan Review.
- (4) Buildings and development elevations from four major directions, including exterior dimensions.
- (5) Floor plans including overall floor plan, projected number of units and their projected area, and number of bedrooms per unit.
- (6) Landscape plan and schedule depicting species location, size and quantity.
- (7) Soil Studies.
- (8) Signage plans.
- (9) Sight lines and public access connections to the river corridor, where applicable.

- (10) Pedestrian connections to proposed buildings and land uses, to the public sidewalk system and to adjacent properties.
- (11) Development timetable setting forth expected starting and completion dates for construction, and the date on which the project will begin operation. If the development is to be constructed in phases, a timetable showing applicable starting and completion dates for each phase shall be submitted along with the part of the overall property allocated to each phase which shall be indicated on the site plan.
- (12) A development and financial resume for the applicant and developer, if other than the applicant, which demonstrates a past performance of proving a level of skill and organizational activity necessary for project completion. Significant financial documentation indicating finance capability and methods shall, in addition, be submitted.
- (13) Traffic studies indicating daily peak traffic demands and direction of such traffic as expected to be generated by the project. All traffic shall be accommodated safely and efficiently on-site and by the abutting street system. If a deficiency will occur, the applicant shall submit plans to improve the street system along with a proposal to provide feasible financing methods. Development accessing Michigan Avenue shall meet all requirements of the Michigan Department of Transportation (MDOT).
- (14) Parking studies and data indicating the number of spaces required and if all spaces are not provided on-site, where these spaces will be located.

The Planning Commission, upon recommendation of the City Planner may waive submissions requirements 11-14, or portions thereof, if it has been determined that the information is not necessary for project evaluation or that sufficient documentation has been previously submitted. However, in all instances, the applicant shall submit at least one elevation and a site plan to scale, which shows the renovation or modification.

**Planning Commission Review and Approval:**

The Planning Commission shall review the project application with regard to specified standards and requirements of the TCD Town Center District and as set forth below:

- (1) The review procedure shall be conducted in conformance to Section 155.288 Procedures for Special Condition Use Review and Section 155.289 Standards for Special Condition Use Approval.
- (2) The Planning Commission shall conduct its review of all new projects or changes in site or building conditions of existing developments in conformance with the notice and public hearing requirements for Special Condition Uses subject to discretionary decisions as specified in Section 155.291 Public Hearing

Notification Requirements and in Public Act 207 of 1921, as amended.

Following the review process, the Commission may approve or deny the application based on specified standards and requirements set forth in this section. Specific conditions applied to an approved plan shall be made part of the record of approval as set forth in the approval resolution. The specified conditions shall be modified only as provided for in this section.

### **Standards and Requirements for Review and Approval**

The Planning Commission shall make conclusions for a proposed development application based on the following standards and requirements:

- (1) All proposed uses shall promote and be consistent with the spirit and specific intent and purposes of the City of Inkster Town Center District and master plan.
- (2) The application proposal shall set forth specific written descriptions of heights, setbacks, density, parking, vehicular and pedestrian circulation, landscaping, and other design elements which affect the impact of this project with adjacent properties, to other developments in the District, to the overall plans and goals of the District and to future users and inhabitants of the development. Standards of Section 155.060 Article 4 Schedule of Regulations are not specifically required except as contained in the proposal approved by the Commission, or in any specified condition that has been made subject in the Commission's resolution of approval. However, the requirements of Section 155.070 Article 5 General Development Standards must be adhered to.
- (3) Signs must meet the requirements of this ordinance and shall be limited in size and numbers to avoid visual clutter associated with overall effect of multiple signs. Billboards are expressly prohibited.
- (4) Proposed uses shall encourage pedestrian usage and encourage business patrons to remain in the district for an extended time period. Businesses that cater to transient vehicular traffic such as drive-in or drive-through facilities, auto service stations or centers or similar uses shall not generally be approved. The Planning Commission may approve such transient automobile dependent use, if in its judgment, such use is needed for the viability of the district.
- (5) The proposed use(s) must not exceed the capacity of the existing and available public services, including utilities and public roads. However, the development proposal can contain adequate plans for providing needed services or evidence that such services will be available by the date the project is completed. This plan must meet Planning Commission's satisfaction.

- (6) The project and its uses must be in compliance with all applicable federal, state and local laws and regulations.
- (7) All project submission documents are subject to a review by a qualified professional city planner or other professional, who may be retained by the City of Inkster for this purpose.

#### **Permit and Certificate Issuance**

- (1) Subsequent to approval by the Commission, the Building Division shall not issue building permits or Certificates of Occupancy until the plans and proposed uses comply with Planning Commission's resolution of approval.
- (2) An applicant may file an appeal of an unfavorable determination by the City Planner or Planning Commission to the Board of Zoning Appeals. If the Board decides that the project complies with the approval resolution, then a permit or certificate shall be issued. Should the Board of Zoning Appeals sustain the determination of the City Planner or Planning Commission, the applicant may appeal their decision to the Circuit Court.

#### **Modification of Approved Plans**

- (1) Approved development proposals may be modified by resolution of the Planning Commission after submission and review of an application in accordance with standards and requirements stated in this section.
- (2) Approved development proposals may be administratively modified, upon discretion of the City Planner, provided the following conditions are met:
  - (a) Building or structure area or height is not increased.
  - (b) Dwelling unit density is not increased.
  - (c) Off-street parking requirements are not modified.
  - (d) The traffic pattern is not modified.
  - (e) Trip generation is not increased.

#### **Abandonment or Expiration of Time Limits**

Approval of a project and any building permit or certificate may become null and void if any of the following conditions arise:

- (1) The approved project is abandoned.
- (2) A project has not achieved its 1-year construction progress as set forth in the submitted development timetable upon expiration of 1 year after the effective date of issuance of the initial building permit.
- (3) An approved project has not begun construction within 6 months.
- (4) The approved project has not been completed 3 years after the effective date of issuance of the initial building permit.

Upon application, the Commission may approve extensions, provided that the application is received by the City Planner prior to the expiration date, on display of sound reasons which meet the satisfaction of the Commission. The applicant or designee of the applicant shall appear in person to apply for an extension.

**Prior Consultation**

***All persons contemplating the development of any property located within the district are advised to contact and confer with the City Planner and staff prior to investing significant amounts of time, energy, and funds in preparing extensive plans, proposals, and submissions.***