

ARTICLE 18

**HRC, HAGGERTY ROAD CORRIDOR OVERLAY
DISTRICT**

SECTION 18.01. Statement of Purpose

The intent of the HRC, Haggerty Road Corridor Overlay District is to encourage the development of a premier regional business environment, consisting of retail, office, and residential uses, as well as high end manufacturing and warehousing. It is intended that this district will be a commercial and office generator for the Township.

More specifically, the purposes of this district are as follows:

- A.** Encourage and direct development within the boundaries of the Haggerty Road Corridor Overlay Zoning District and implement the Commerce Township Master Plan.
- B.** Encourage a form of development that will achieve the physical qualities necessary to maintain and enhance the economic vitality of the Haggerty Road Corridor and to maintain the desired character of Commerce Township as stated in the Commerce Township Master Plan.
- C.** Encourage the type of development that will create a premier regional business environment along Haggerty Road.
- D.** With new development and renovation of existing buildings, encourage design that achieves compatibility with the planned environment.
- E.** Design buildings so they can be readily converted to different uses.
- F.** Ensure that new development will minimize the visual impact of expansive parking areas from the road.

The regulations herein have been developed in accordance with the adopted Township Master Plan and the following principles:

- A.** The integrity and value of existing nearby single-family residences should be preserved consistent with the Master Plan.
- B.** The redevelopment of this area should have connections to the surrounding road network where prudent.
- C.** Development should be sensitive to the environmental features of the area.

- D.** Integrating the mix of uses into a unified development plan will result in greater efficiency, economic value, and- a greater potential to create a sense of place that all residents of the township can be proud of.

SECTION 18.02. Applicability of Overlay Zoning Concept

The Haggerty Road Corridor Overlay District is a mapped zoning district that imposes a set of requirements in addition to those of the underlying zoning district shown on the Zoning Map. In an area where an overlay zone is established, the property is placed simultaneously in the two zones, and the property owner may elect to develop his/her property under the underlying zoning or under the applicable conditions and requirements of the Haggerty Road Corridor Overlay District.

If a property owner elects to comply with the Haggerty Road Corridor Overlay District, then existing uses maintain conformity with underlying zoning standards, but any expansion, redevelopment, or new development shall conform to the Haggerty Road Corridor Overlay District standards. In the event there is a conflict between the requirements of the two zones, the requirements of the Haggerty Road Corridor Overlay District shall govern.

SECTION 18.03. Creation of Haggerty Road Corridor Overlay District Boundaries

The Haggerty Road Corridor Overlay District boundaries shall be as established on the Official Zoning Map. Haggerty Road Corridor Overlay Districts may be established or amended according to the Zoning Ordinance amendment procedures in Article 3. The permitted location of such uses shall be based on the Commerce Township Future Land Use Map for the area.

SECTION 18.04. Permitted Uses and Structures

A. Principal Uses and Structures.

In all areas zoned Haggerty Road Corridor Overlay District, no building shall be erected, used, or structurally altered, nor shall the land or premises be used in whole or in part, except for one or more of the following principal permitted uses.

1. Any use charged with the principal function of basic research, design, and pilot or experimental product development.
2. Office buildings, including medical, executive, administration, professional, and corporate offices. Associated sales may be permitted, provided that no display shall be visible from the exterior of the building, and provided that the Planning Commission determines that such sales shall be clearly incidental to the principal office use.
3. Hotels subject to Article 26.
4. Medical laboratories.

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5. Indoor commercial recreation facilities, such as health clubs, hardball and racquetball court facilities, pool and billiard establishments, tennis, archery and similar facilities, but not including inflatable buildings.
6. Personal service shops, including, but not limited to: repair shops (such as watch, radio, television, shoe, and home appliance repair), tailor and dressmaking shops, beauty and barbershops, and photographic studios.
7. Banks, credit unions, savings and loan associations, and similar financial institutions.
8. Restaurants, cafes, taverns, bars/lounges, carry-out restaurants, and other uses serving food and/or alcoholic beverages.
9. Fast food restaurants (drive-in and drive-thru facilities must obtain special land use approval).
10. Outdoor dining for restaurants with indoor seating subject to the terms and conditions under Article 26.
11. Retail establishments whose principal activity is the sale of merchandise in an enclosed building, including sales of groceries, meats, dairy products, baked goods or other foods, drugs, dry goods and notions or hardware.
12. Retail sales in which both a workshop and retail outlet or showroom are required, such as, but not limited to establishments for plumbers, electricians, interior decorators, upholsterers, printers, and photographers, subject to the following provisions:
 - a. Not more than eighty percent (80%) of the total useable floor area shall be used for service, repair or processing functions, and
 - b. Retail or showroom functions shall be located in the portion of the building where the customer entrance is located.
13. Manufacturing and warehousing.
14. Child care centers, recreation and fitness facilities, cafeterias, health care services, and similar uses may be permitted as accessory uses if any such use is located wholly within the building of the principal use which it serves (except for outdoor recreation and fitness facilities), is conducted primarily for the convenience of the employees of the principal use, and has no exterior advertising or displays.
15. Essential services.
16. Accessory buildings and accessory uses customarily incidental to any of the above principal permitted uses.

B. Special Land Uses.

The following uses may be permitted by the Planning Commission, subject to the conditions specified for each use; review and approval of the site plan by the Planning Commission; any special conditions imposed by the Planning Commission that are necessary to fulfill the purposes of this Ordinance; and the procedures and requirements in Article 34.

1. Farmers' market
2. Drive-in or drive-through business when developed as an accessory to a principal permitted use, subject to Article 26.
3. Multiple-family housing, which may be in the form of townhouses, apartments, brownstone apartments, or similar configuration, subject to Article 26.
4. Business, office, retail, and residential uses may occupy the same building subject to the following criteria:
 - a. Such multi-use buildings shall be located along Haggerty Road, north of Pontiac Trail only.
 - b. No business, office, retail business, or retail sales in which both a workshop and retail outlet showroom are required, shall be located on the same floor that is used for residential purposes.
 - c. No floor that is located above a floor used for residential purposes may be used in whole or in part for business or office use or retail business.
 - d. Where there are non-residential and residential uses in a building, the residential uses shall be provided with separate, private entrances.
5. Mini-storage facilities.
6. Clubs, fraternal organizations, and lodge halls.
7. Funeral and interment services
8. Newspaper distribution offices.
9. Accessory buildings and accessory uses customarily incidental to any of the above special land uses.

C. Uses Not Permitted.

1. Outside storage of goods, inventory, or equipment shall be prohibited.
2. New single family detached dwelling units shall be prohibited.

SECTION 18.05. Development Standards

Buildings and uses in the Haggerty Road Corridor Overlay District, except for multiple family residential dwellings, shall comply with the following requirements.

A. Building Entrances.

The first floor main entrance of the structure shall be oriented toward the road on which the structure fronts, and open to the general public. If the site is on a corner, it may have its first floor main entrance oriented to either road. No overhead doors are permitted facing a road.

B. Façade Design

All building facades that face a road shall conform to the following design criteria:

1. Exterior Building Materials. A minimum of 70% of the non-glass façade of the building shall consist of traditional materials, such as masonry, stone, or brick for all new construction, renovations, and additions. Plain concrete block, plain concrete, corrugated metal, plywood, vinyl siding and sheet pressboard are prohibited. The use of reflective glass shall be limited and shall not be used on the first floor of any building. At the building's interface with a sidewalk, cast concrete or another product shall be used that is not subject to spalling. Cement-based finishes, cement plaster, and Exterior Insulation Finish System (E.I.F.S.) may be used only for decorative purposes (e.g., for cornices, window surround, quoins, pilasters), provided that such finishes comprise no more than twenty five percent (25%) of the façade of the building. The Planning Commission may approve alternative exterior manufactured exterior materials upon finding that such materials replicate authentic traditional building materials in terms of appearance and durability.
2. Architectural Guidelines. Traditional architecture is favored in the Haggerty Road Corridor Overlay District, rather than radical design themes, structures and roof forms. Traditional architectural design is intended to convey an image of durability, permanence, craftsmanship, and visual character consistent with Township planning standards. Elements that are preferred include, by way of example, gable roofs; brick, wood, stone, Hardiplank or other durable exterior material (but not including vinyl or aluminum siding); attention to detail; front door facing the road; and substantial windows on the side facing the road. Building facades that incorporate canopies or walls with mock gables must provide a roof component to provide depth and give a more authentic appearance.
3. Utilities. Utility meters, conduits, etc., shall be screened or otherwise hidden so they are not visible. Screening shall consist of the same type of exterior material used on the façade of the building.

4. Fire Escapes. Fire escapes shall not be permitted on a building's front facade. In buildings requiring a second means of egress pursuant to the local building codes, internal stairs or other routes of egress shall be used.

C. Side or Rear Facade Design

The side or rear facade shall be designed to create a pleasing appearance, in accordance with the following design criteria:

1. Materials and architectural features the same as those present on the front of the building shall be used on the side or rear facade.
2. Open areas shall be landscaped with lawn, ground cover, ornamental shrubs, and trees, provided that sufficient light penetrates into the space.

D. Lighting

1. Exterior lighting shall comply with the requirements in Article 31. Lighting must be placed and shielded so as to direct the light onto the site and away from adjoining properties. The lighting source shall not be directly visible from adjoining properties. Floodlights, wall pack units, other types of unshielded lights, and lights where the lens is visible outside of the light fixture shall be prohibited.
2. Sidewalks and parking areas shall be properly lighted to facilitate the safe movement of pedestrians and vehicles and provide a secure environment. In parking areas, the light intensity shall average a minimum of 1.0-foot candle measured five (5) feet above the surface. In pedestrian areas, the light intensity shall average a minimum of 2.0-foot candles measured five (5) feet above the surface. The maximum average light intensity shall be ten (10) foot candles.

E. Parking.

Parking and parking lot design shall comply with Article 28, in its entirety, and the following standards:

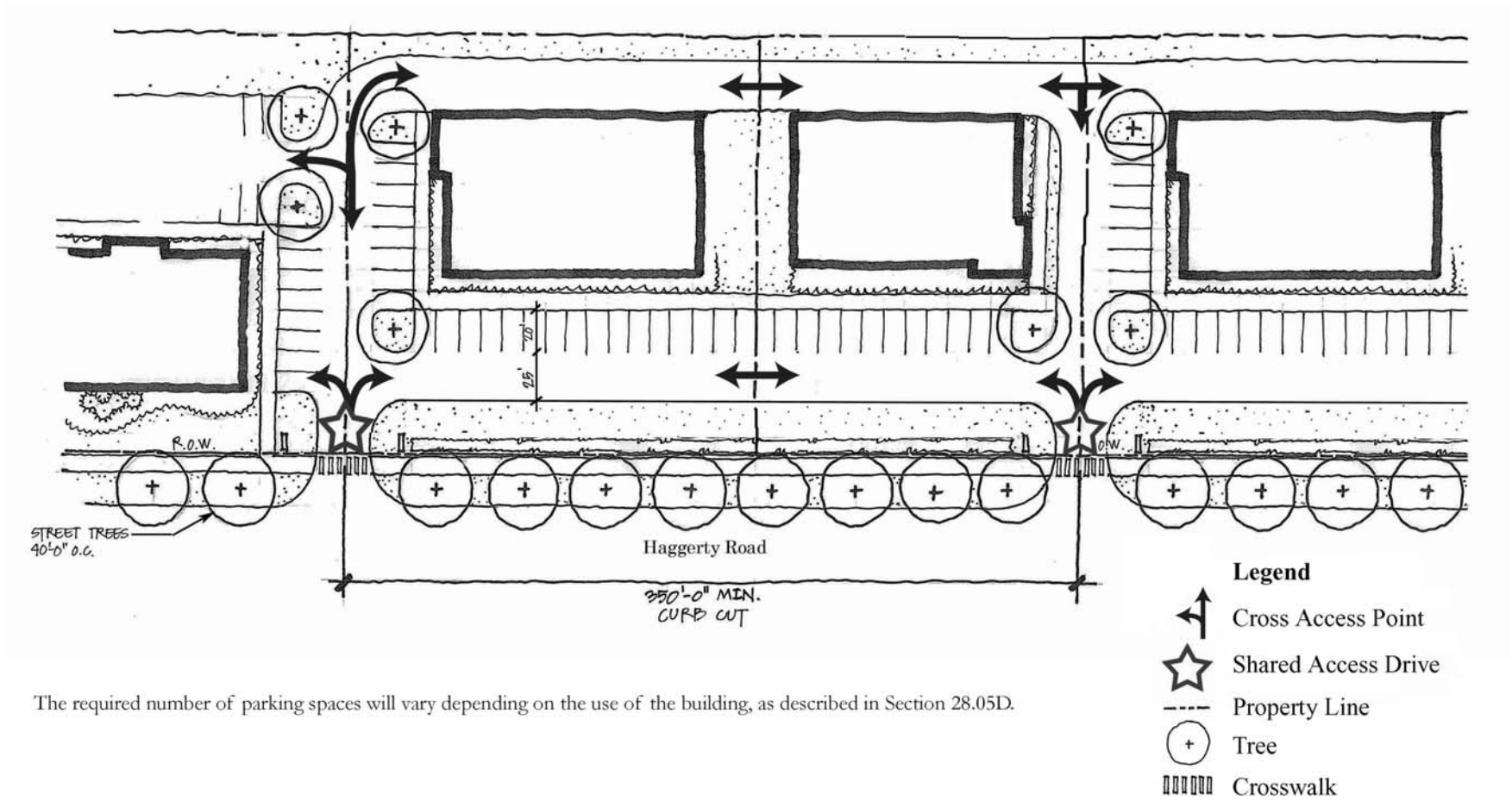
1. Front Yard Parking. The number of parking spaces located within the front yard shall be limited to a maximum of 50% of the total parking provided for the site. Parking should be located to the rear or the side of buildings to the greatest extent possible. Where possible, on-site parking lots shall be accessed by means of shared driveways, preferably from side roads or lanes. If the Planning Commission finds that additional front yard parking is needed to ensure public safety and/or logical site circulation, the Commission may permit up to a maximum of 75% of the proposed parking within the front yard.
2. Cross-Access and Shared Parking. Cross-access easements and a shared maintenance agreement are required for adjacent lots with connected parking lots.

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Easements and a maintenance agreement meeting the requirements of this Ordinance and the Commerce Charter Township Code shall be prepared by the Township Attorney, executed by the parties, and recorded at the Office of the Oakland County Register of Deeds. The cross-access easement shall be recorded and the cross-access shared driveway shall be installed at the same time that the parking lot on the same lot is constructed.

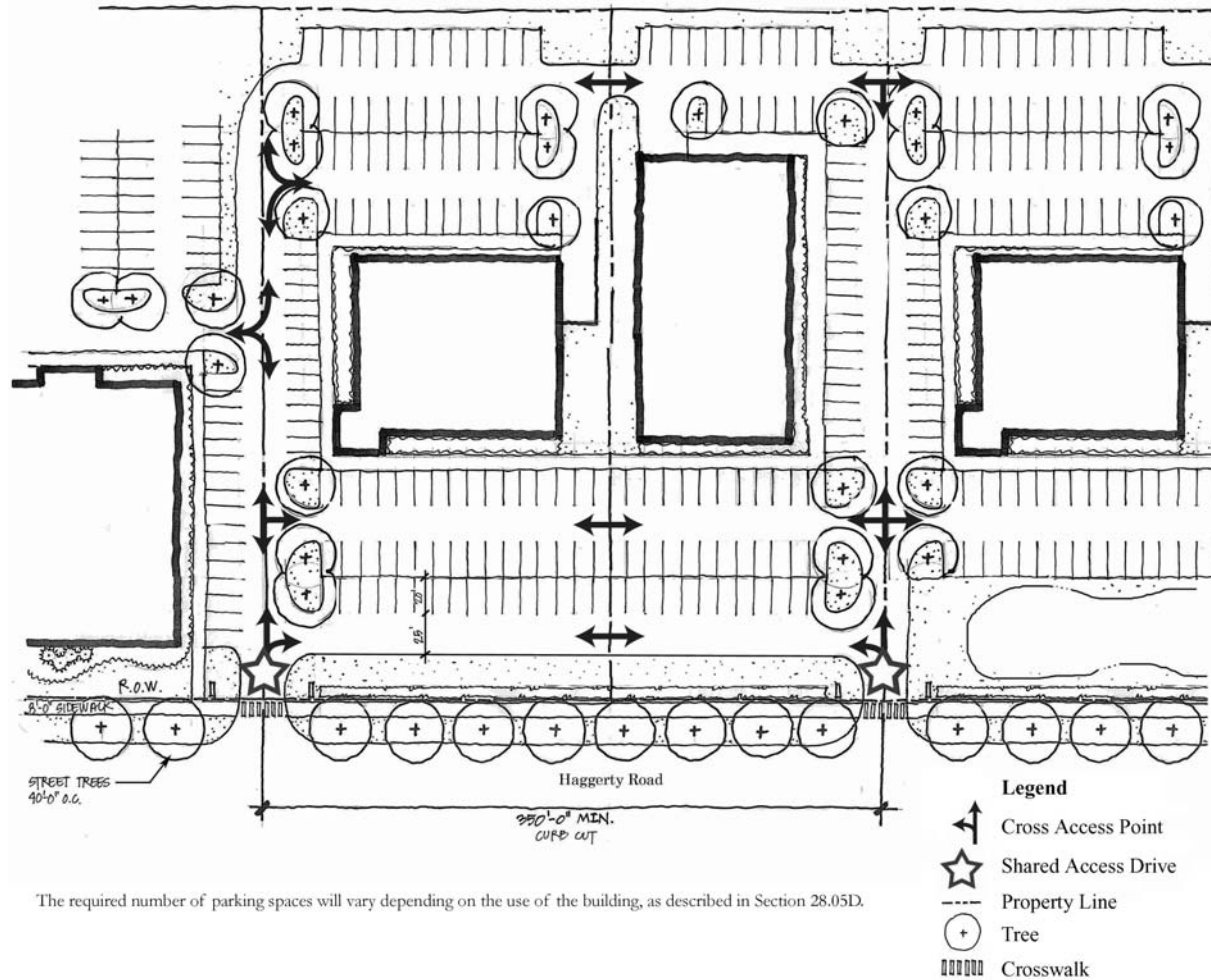
Common, shared parking facilities are encouraged. Required parking may be accommodated off-site in common, shared parking facilities.

Off-street parking shall be set back a minimum of twenty-five (25) feet from the front lot line (eighty-five (85) feet from the Haggerty Road centerline). Off-street parking shall be set back a minimum of ten (10) feet from any single family residentially zoned parcel. (See the following pages for prototypes illustrating shared parking and cross-access for typical 200-foot and 400-foot deep lots).



The required number of parking spaces will vary depending on the use of the building, as described in Section 28.05D.

Prototype - 200 foot deep lot



The required number of parking spaces will vary depending on the use of the building, as described in Section 28.05D.

Prototype - 400 foot deep lot

3. Maximum Number of Spaces. In order to maximize the amount of land area left for landscaping and open space, paving shall be confined to the minimum area necessary to comply with the parking requirements of Article 28. Accordingly, the maximum number of parking spaces that may be provided is 120% of the minimum parking requirement.
4. Pedestrian Circulation. The parking lot layout shall accommodate pedestrian circulation. Pedestrian crosswalks shall be provided, shall be distinguished by textured paving or pavement striping, and shall be integrated into the sidewalk network.
5. Screening. Surface parking lots shall be screened from the road and adjacent residential areas in accordance with Article 18.
6. Collective Provision of Off-Street Parking. Off-street parking for separate buildings or uses may be provided collectively subject to Article 28 and the following conditions:
 - a. The total number of spaces provided collectively shall not be less than the sum of spaces required for each separate use; however, the Planning Commission may reduce the total number of required spaces upon making the determination that the parking demands of the uses being served do not overlap, with the understanding that future building use and occupancy will be limited by available parking. Land banking of space for parking lot expansion should be considered in anticipation of future change in use or occupancy.
 - b. Each use served by collective off-street parking shall have direct access to the parking without crossing roads.
 - c. Easements and a maintenance agreement are required. Easements and a maintenance agreement meeting the requirements of this Ordinance and the Commerce Charter Township Code shall be prepared by the Township Attorney, executed by the parties, and recorded at the Office of the Oakland County Register of Deeds.

F. Landscaping

1. Compliance with Article 29. Each site shall comply with the landscape requirements in Article 29. However, in consideration of the overall design and impact of a specific landscape plan, and in consideration of the distinct setting in which Haggerty Road Corridor Overlay District sites are developed, the Planning Commission may modify the specific landscaping requirements, provided that any such adjustment is in keeping with the intent of this Article and the Ordinance in general.
2. Building Foundation Plantings. Structures shall be provided with landscaping along the portion of their foundations that is visible from a public thoroughfare,

except where walkways, truck wells, loading areas, etc., abut the foundation. The landscaped area must be at least three (3) feet in depth and must be suitably landscaped. Applicants are encouraged to submit planting plans that exceed the minimum dimensions specified above so as to achieve a more pleasing overall landscaping effect.

3. Landscaping Adjacent to Public Right-of-Way. Site landscaping along public rights-of-way shall be provided as follows:
 - a. A minimum of one (1) deciduous canopy tree shall be planted for each forty (40) feet of frontage.
 - b. A minimum of three (3) ornamental trees shall be planted for each forty (40) feet of frontage along the road right-of-way. The required ornamental trees should be interspersed along the road frontage to provide for a natural appearance. Groupings of trees may be permitted.
 - c. Massing of ornamental grasses, perennials, and/or annuals and bulbs is required for twenty-five (25) percent of the length of the road right-of-way. The planting bed shall have a minimum width of twelve (12) feet. Plantings should be concentrated near the main site entry points or to highlight significant design, provided that proper corner clearance is provided pursuant to Article 6.
 - d. These requirements may be waived by the Planning Commission where comparable landscaping is proposed to be planted by the Downtown Development Authority.

4. Parking Lot Landscaping. A parking lot landscape buffer is required when a parking lot is located within fifty (50) feet of a public or private road. The intent of the landscape buffer shall be to adequately screen parking areas from adjacent public and private roads. The landscape buffer shall consist of:
 - a. A minimum 10-foot wide buffer between the parking lot back-of-curb and the road setback line.
 - b. Evergreen and/or a mix of evergreen and deciduous shrubs are required to provide screening of parking areas. A shrub hedge must be provided along the length of the parking area adjacent to a public road. The landscape hedge must be a minimum of three (3) feet tall at maturity or continuously maintained at a minimum of three (3) feet tall. In lieu of landscaping, the Planning Commission may accept a masonry wall, or a wall and landscaping combination.
 - c. These requirements may be waived by the Planning Commission where comparable landscaping is proposed to be planted by the Downtown Development Authority.

5. Detention Pond Landscaping. All detention ponds or similar stormwater management facilities (including bioswales, rain gardens, and similar facilities) shall be designed to have a natural appearance incorporating natural looking grading contours. Detention pond landscaping shall comply with the following requirements:
- a. Clusters of shrubs spaced not more than six (6) feet on center shall be provided above the high water or freeboard elevation of the pond. A minimum of one shrub shall be planted for every twenty (20) linear feet measured along the freeboard elevation of the pond.
 - b. One (1) ornamental deciduous tree (e.g., crabapple, pear, etc.) shall be planted for every forty (40) linear feet measured along the freeboard elevation of the pond.
 - c. One canopy deciduous tree (e.g., oak, maple, etc.) shall be planted for every fifty (50) linear feet measured along the freeboard elevation of the pond.
 - d. Detention ponds shall be planted with native grasses having a minimum height of 24 inches or detention pond seed mix to discourage use by waterfowl and to promote bioremediation (decontamination of the stormwater by filtering through the plants). Grass species that go dormant in winter such as fescue are suggested.
 - e. Anti-waterfowl devices such as string matrix or string edge are recommended while establishing plantings, provided that such devices are removed immediately when they become unsightly or no longer necessary.

G. Loading Zone.

A service aisle or designated loading zone shall be reserved at the rear or side of the building, as appropriate. Loading areas shall be screened when necessary so that they will not be seen from the road. Loading zones or service aisles shall not be located in the front open space.

H. Sidewalks.

1. Sidewalk Width and Location. Sidewalks shall be provided in accordance with the Commerce Charter Township Code.
2. Driveway Crossings. When a sidewalk crosses a driveway or shared driveway, the driveway or shared driveway shall retain the elevation of the sidewalk. The appearance of the sidewalk shall be maintained across the driveway or shared driveway to indicate that pedestrians have the right-of-way.

I. Mechanical Equipment.

1. All air conditioning units, HVAC systems, exhaust pipes or stacks, elevator housing and satellite dishes and other telecommunications receiving devices shall be thoroughly screened from view from the public right-of-way and from adjacent properties, by using walls, fences, roof elements, penthouse-type screening devices or landscaping.

J. Access Management.

Access is a means to provide vehicular entrance to or exit from a parcel. *Access Management* means controlling vehicular access so as to balance the need to provide reasonable access to property with the need to maintain safety, capacity and speed on the adjoining road. Access management is necessary to preserve the capacity of primary roads, encourage efficient flow of traffic by minimizing the disruption and conflicts between through traffic and turning movements, and to improve safety and reduce the potential for crashes.

The following access management provisions shall apply to Pontiac Trail, Maple, and Haggerty Roads within the HRC District:

1. For expansion and/or redevelopment of existing sites where the Planning Commission determines that compliance with all standards of this section is unreasonable, the standards shall be applied to the maximum extent possible. In such situation, suitable alternatives which substantially achieve the purpose of this section may be accepted by the Planning Commission, provided that the applicant demonstrates all of the following apply:
 - a. Size of the parcel is insufficient to meet the dimensional standards.
 - b. The spacing of existing, adjacent driveways or shared driveways or environmental constraints prohibit adherence to the access standards at a reasonable cost.
 - c. The use will generate less than five hundred (500) total vehicle trips per day or less than seventy-five (75) total vehicle trips in the peak hour of travel on the adjacent road, based on rates developed by the Institute of Transportation Engineers.
 - d. There is no other reasonable means of access.
2. General Standards for Driveway and Shared Driveway Locations
 - a. Driveways and shared driveways shall be located so as to minimize interference with the free movement of traffic, to provide adequate sight distance, and to provide the most favorable driveway grade.
 - b. Driveways and shared driveways, including the radii but not including

right turn lanes, passing lanes and tapers, shall be located entirely within the right-of-way frontage, unless otherwise approved by the Road Commission for Oakland County.

3. Provisions shall be made to share access with adjacent uses. Shared access easements and maintenance agreements are required. Easements and a maintenance agreement meeting the requirements of this Ordinance and the Commerce Charter Township Code shall be prepared by the Township Attorney, executed by the parties, and recorded at the Office of the Oakland County Register of Deeds. Property owners are encouraged to combine smaller parcels to create larger development parcels and reduce the number of commercial driveways. See pages below for sample prototypes illustrating shared parking and cross-access for typical 200-foot and 400-foot deep lots.
4. The number of commercial driveways shall be the minimum necessary to provide reasonable access for regular traffic and emergency vehicles, while preserving traffic operations and safety along the public roadway. A single means of direct or indirect access shall be provided for each separately owned parcel. Where possible, this access shall be via a shared driveway. Where it is not possible to provide shared access, this access may be by a single driveway. Additional driveways may be permitted for a property only under one of the following conditions:
 - a. One (1) additional driveway may be allowed for properties with a continuous frontage of over five hundred (500) feet, and one (1) additional driveway for each additional five hundred (500) feet of frontage, if the Planning Commission determines there are no other reasonable access opportunities.
 - b. Two (2) one-way driveways may be permitted along a frontage of at least one hundred twenty five (125) feet, provided the driveways do not interfere with operations at other driveways or along the road.
 - c. The Planning Commission may determine addition driveways are justified due to the amount of traffic generated by the use without compromising traffic operations along the public road, based upon a traffic impact study commissioned by the Township.

K. Signs

Signs for sites within the HRC District shall comply with the applicable standards in Article 30, Signs.

L. Multiple Family Development Standards

Multiple family developments in the HRC District shall comply with the applicable standards in Article 26.

SECTION 18.06. Area, Height, Bulk, and Placement Requirements

The following chart summarizes the regulations in Article 18, but the user is cautioned to refer to Article 18 for more detailed information and explanatory notes.

Regulation	South Haggerty Road Area (South of Pontiac Trail)	North Haggerty Road Area (North of Pontiac Trail)	Maple Road Area
Minimum Lot Area	None specified	None specified	None specified
Minimum Lot Width	None specified	None specified	None specified
Maximum Height	3 stories, 35 feet - See footnote (a)	3 stories, 35 feet -See footnote (a)	3 stories, 35 feet -See footnotes (a) and (b)
Setbacks			
Front	Minimum of 30 feet- See footnote (c)	Maximum of 25 feet - See footnote (c)	See underlying zoning district
Side	See underlying zoning district	See underlying zoning district	See underlying zoning district
Rear	See underlying zoning district	See underlying zoning district	See underlying zoning district
Maximum Density of Multiple Family Development	See Article 26	See Article 26	See Article 26

Table Notes

- (a) For sites within 500 feet of the centerline of Pontiac Trail and/or M-5, the maximum permitted height may be increased to 4 stories and 45 feet.
- (b) For sites within the HF, Hospital Facilities District, the maximum height may be increased consistent with the standards of the HF, Hospital Facilities District.
- (c) For sites located along Haggerty Road, Crumb Road, Maple Road, Pontiac Trail, or Walnut Lake Road, the setback line shall be measured from a line 60 feet from the centerline of the road.

SECTION 18.07. Site Plan Review

Site plan review and approval is required for all uses in accordance with Article 35.