

## ARTICLE 16.00

# PLANNED UNIT DEVELOPMENT

### Section 16.01 -- INTENT

It is the intent of this Article to authorize the use of planned unit development regulations for the purposes of encouraging the use of land in accordance with its character and adaptability; conserving natural resources, natural features and energy; encouraging innovation in land use planning; providing enhanced housing, employment, shopping, traffic circulation and recreational opportunities for the people of this City; ensuring compatibility of design and use between neighboring properties; and, encouraging development that is consistent with the City's Master Plan.

The provisions of this Article are not intended as a device for ignoring the Zoning Ordinance and specific standards set forth therein, or the planning upon which it has been based. To that end, provisions of this Article are intended to result in land development substantially consistent with the zoning standards generally applied to the proposed uses, allowing for modifications and departures from generally applicable standards in accordance with guidelines in this Article to insure appropriate, fair, and consistent decision making.

### Section 16.02 -- ELIGIBILITY CRITERIA

To be eligible for planned unit development approval, the applicant must demonstrate that the following criteria will be met:

- (a) **Recognizable Benefits.** The planned unit development will result in a recognizable and substantial benefit to the ultimate users of the project and to the community.
- (b) **Minimum Size.** The minimum size of a planned unit development shall be three (3) acres of contiguous land.
- (c) **Use of Public Services.** The proposed type and density of use shall not result in an unreasonable increase in the use of public services, facilities and utilities, and shall not place an unreasonable burden upon the subject site, surrounding land, property owners and occupants, or the natural environment.
- (d) **Compatibility with Master Plan.** The proposed development shall not have an adverse impact upon the Master Plan of the City, and shall be consistent with the intent and spirit of the Master Plan.
- (e) **Economic Impact.** The proposed development shall not result in an unreasonable negative economic impact upon surrounding properties.
- (f) **Usable Open Space.** The proposed development shall contain at least as much usable open space as would otherwise be required by the existing underlying zoning.
- (g) **Unified Control.** The proposed development shall be under single ownership or control such that there is a single person or entity having responsibility for completing the project, or assuring completion of the project by appropriate dedication and contractual provisions, in conformity with this Ordinance.

The applicant shall provide legal documentation of single ownership or control in the form of agreements, contracts, covenants, and deed restrictions which indicate that the development can be completed as shown on the plans, and further, that all portions of the development that are not to be maintained or operated at public expense will continue to be operated and maintained by the

developers or their successors. These legal documents shall bind all development successors in title to any commitments made as a part of the documents. This provision shall not prohibit a transfer of ownership or control, provided notice of such transfer is given to the Building Department.

### Section 16.03 -- PROJECT DESIGN STANDARDS

Proposed planned unit developments shall comply with the following project design standards:

- (a) **Location.** A planned unit development may be approved in any location in the City, subject to review and approval as provided for herein.
- (b) **Permitted Uses.** Any land use authorized in this Ordinance may be included in a planned unit development as a principal or accessory use, provided that:
  - 1. The predominant use on the site shall be consistent with the uses specified for the parcel on the City's Master Plan and Future Land Use Map.
  - 2. There shall be a reasonably harmonious relationship between the location of buildings on the site relative to buildings on lands in the surrounding area.
  - 3. Nonresidential uses shall be separated and buffered from residential uses in a manner that is consistent with good site design and planning principles.
  - 4. The mix of uses and the arrangement of those uses within a planned unit development shall not impair the public health, safety, welfare, or quality of life of residents or the community as a whole.
  - 5. Where the existing underlying zoning district is residential, commercial and office uses may be permitted as a part of a planned unit development provided that such nonresidential uses are clearly subordinate to the principal residential use on the site.
- (c) **Residential Density.** The overall average density of residential uses within a planned unit development shall be based on the character and adaptability of the site, the Future Land Use Map designation, compatibility with surrounding land use, and the size of the site. In consideration of these factors, the overall average density shall not exceed ten (10) units per acre, except that the overall average density may be increased to fifteen (15) units per acre on sites that are twelve (12) acres or larger and further provided that Council may, upon recommendation of the Planning Commission, approve a greater overall average density. For the purposes of computing density, gross acreage shall include the following:
  - 1. All areas to be used for residential purposes, including off-street parking in residential areas;
  - 2. Wetlands, woodlands, and lakes within the portion of the site that is being developed for residential purposes;
  - 3. Parks and open space devoted exclusively for residential use or for natural resource protection. Upon recommendation from the Planning Commission, the City Council may consider land allocated to a commercial recreation use, such as a golf course, in determining the appropriate density of residential development, subject to the conditions cited below.
  - 4. Internal local road rights-of-way. Dedicated rights-of-way for perimeter roads and internal collector and thoroughfare roads shall not be included in the gross acreage for the purposes of computing density.

An increase in density may be permitted by the City Council, upon recommendation from the Planning Commission, upon finding that the increase is justified because certain characteristics of the proposed development would result in a substantial benefit to the users and the community as a whole. Among the characteristics which the Planning Commission and City Council may consider in making this determination are the following:

- 1. The planned unit development exhibits extraordinary design excellence, examples of which include, but are not limited to: innovative energy efficient design; provision of additional open space above the required amount; added improvements to assure vehicular and pedestrian safety; or, added landscaping or other site features to assure a long-term aesthetically pleasing appearance.
- 2. The proposed arrangement of uses and residential densities within the planned unit development enhances the compatibility of proposed development with existing or planned land use on adjacent land.

(d) **Yard Setbacks.** Planned unit developments shall comply with the following yard setback requirements:

Along perimeter adjacent to public road	40 ft.
Along perimeter, but not adjacent to a road	20 ft.
Along an internal collector or local road	30 ft.
Along an internal thoroughfare road	40 ft.
Between parking lot and property line	
- Adjacent to road	10 ft.
- Not fronting on road	10 ft.

- 1. Buildings that exceed thirty (30) feet in height shall comply with the setback requirements in Section 7.02 sub-section (a)3.
- 2. Required setbacks shall be measured from the existing right-of-way line, except where a Setback Measurement Line is specified on the adopted Zoning Map, in which case the required setback shall be measured in accordance with said Setback Measurement Standard.
- 3. Modification to these yard setback requirements may be approved by the City Council, upon recommendation from the Planning Commission, upon making the determination that other setbacks would be more appropriate because of the topography, existing trees and other vegetation, proposed grading and landscaping, or other existing or proposed site features.

(e) **Distances Between Buildings.** Buildings within a planned unit development shall comply with the following spacing requirements:

- 1. Detached single family structures shall be spaced in accordance with the setback requirements in the R-1A District, as specified in Section 17.01.
- 2. The City Council, upon recommendation from the Planning Commission, may permit modifications to the spacing requirements for detached single family structures in a planned unit development, based on good planning and design principles and after taking into account the degree of compatibility between adjoining uses, sensitivity to the characteristics of the site, the need for free access for emergency vehicles, the need for adequate amounts of light and air between buildings, and the need for proper amounts of open space for the exclusive use of residents on the site.

3. Residential buildings containing more than one unit (i.e., apartments, townhouses, attached dwellings) shall conform to the spacing requirements set forth in Section 17.02, footnote (f), of the Zoning Ordinance.
  4. Nonresidential buildings shall be located at least sixty-five (65) feet from any residential buildings.
  5. The distance between adjacent freestanding nonresidential structures shall be based on good planning and design principles, taking into account the need for: free access for emergency vehicles, adequate amounts of light and air between buildings, and proper amounts of landscaping.
  6. Modification to these building spacing requirements may be approved by the City Council, upon recommendation from the Planning Commission, upon making the determination that other building spacing requirements would be more appropriate because of the particular design and orientation of buildings.
- (f) **Building Height.** Buildings within the PUD must comply with the height requirement of the underlying zoning district. City Council, with the recommendation of Planning Commission, may modify the height requirements.
- (g) **Parking and Loading.** Planned unit developments shall comply with the parking and loading requirements specified in Article 19.00 of the Zoning Ordinance.
- (h) **Landscaping.** Planned unit developments shall comply with the landscaping requirements specified in Section 21.35 of the Zoning Ordinance.
- (i) **Open Space Requirements.** Planned unit developments containing a residential component shall provide and maintain usable open space, which shall comply with the following requirements:
1. Ten percent (10%) of the gross area of the site that is designated for residential use shall be set aside for such open space.
  2. Any pervious land area may be included as required open space, except as follows:
    - a. Up to twenty five percent (25%) of the required open space may include the area of any water bodies or wetlands which are covered only periodically with standing water (such as hardwood swamps or "wet" meadows). Another twenty-five percent (25%) of the required open space may be occupied by lakes or ponds, when landscaped and maintained as an integral part of a larger common area, or designated wetland that is covered by water or muck such that it is not a suitable environment for walking.
    - b. The City Council, upon recommendation from the Planning Commission, may permit a greater portion of wetland areas to be counted as open space, upon determining that site conditions and constraints make it impractical to dedicate sufficient open upland areas to meet the open space requirements.
    - c. Required usable open space shall not include the area of any public or private road or the area of any easement providing access to the site.
  3. The required open space shall be set aside by the developer through an irrevocable conveyance, such as deed restrictions or covenants that run with the land, assuring that the open space will be developed according to the site plan and never changed to another use. Such conveyance shall:

- a. Indicate the proposed use(s) of the required open space.
  - b. Indicate how the leisure and recreation needs of all segments of the population residing in or using the planned unit development will be accommodated.
  - c. Provide for the privately-owned open space to be maintained by private property owners with an interest in the open space.
  - d. Provide maintenance standards and a maintenance schedule.
  - e. Provide for assessment of the private property owners by the City of Walled Lake for the cost of maintenance of the open space in the event that it is inadequately maintained and becomes a public nuisance.
- (j) **Frontage and Access.** Planned unit developments shall front onto an arterial or collector road (as designated on the Future Land Use Map) and the main means of access to the development shall be via the arterial or collector road.
- Construction of private drives or secondary access drives as a means of providing indirect access to a public road shall be permitted, provided that all internal roads in a planned unit development shall conform to the standards and specifications promulgated by the City of Walled Lake for public roads within the City.
- Individual residential dwelling units in a planned unit development shall not have direct access onto an arterial or collector road. The planned unit development should be designed so that through-traffic, including traffic generated by commercial uses within the planned unit development, is discouraged from travelling on residential streets.
- Developments which contain more than thirty (30) dwelling units shall have at least two separate points of access. One such access point may be designed for emergency vehicle access only.
- (k) **Natural Features.** The development shall be designed to promote preservation of natural resources and natural features. If natural animal or plant habitats of significant value exist on the site, the Planning Commission or City Council may require that the planned unit development plan preserve the areas in a natural state and adequately protect them as open space preserves or passive recreation areas. One hundred percent (100%) of any preserved natural area may be counted toward meeting the requirements for open space, except that designated wetlands which cannot be developed or utilized due to local, state, or federal regulations shall not be counted as open space except as permitted in subsection (i), above.
- (l) **Sidewalks.** Sidewalks shall be provided along all roads within the planned unit development in accordance with Section 21.36.
- (m) **Additional Considerations.** The Planning Commission shall take into account the following considerations, which may be relevant to a particular project: perimeter setbacks and berming; thoroughfare, drainage and utility design; underground installation of utilities; insulating the pedestrian circulation system from vehicular thoroughfares and ways; achievement of an integrated development with respect to signage, lighting, landscaping and building materials; and, noise reduction and visual screening mechanisms, particularly in cases where non-residential uses adjoin off-site residentially-zoned property.

## Section 16.04 -- PROCEDURES AND REQUIREMENTS

The approval of a planned unit development application shall require an amendment to the Zoning Ordinance to revise the zoning map and designate the subject property as "PUD, Planned Unit Development". Approval granted under this Article, including all aspects of the final plan and conditions imposed on it, shall constitute an inseparable part of the zoning amendment.

- (a) **General Application Requirements.** The application for planned unit development shall be made on the forms and according to the guidelines approved by the Planning Commission. The application shall be submitted to the Department of Building and Community Development and shall be accompanied by the necessary fees and documents as specified in this Section 16.03 and Section 16.04. The applicant or a designated representative shall be present at all scheduled review meetings or consideration of the plan may be tabled due to lack of representation.
- (b) **Preliminary Plan Review.** Planned unit development projects shall undergo a two-step review and approval process involving preliminary and final review. The procedures for preliminary review are outlined in this sub-section. If final site plan approval is being sought for the entire project or any phase of the project, then the preliminary plan shall be subject to the site plan review requirements in Section 21.28 of this Ordinance, where applicable. Otherwise, the preliminary plan review requirements in Section 16.04 shall be complied with.
1. **Information Required for Preliminary Review.** The information required for preliminary site plan review shall be provided according to the requirements of Section 16.04. The applicant shall submit sixteen (16) copies of the preliminary plan and supporting materials to the Department of Building and Community Development at least fifteen (15) working days prior to scheduled meeting at which Planning Commission review is desired.
  2. **Professional Review.** The plan shall be transmitted to the City Planner, City Engineer, and City Department heads for review, who shall prepare and transmit reports to the Planning Commission stating their findings and conclusions.
  3. **Public Hearing.** The Planning Commission shall hold at least one (1) public hearing on any planned unit development proposal before it is approved.
    - a. **Scheduling a Public Hearing.** The Planning Commission shall schedule at least one (1) public hearing after any designated agencies or consultants have completed their review and submitted their findings concerning the proposed project.
    - b. **Notice Requirements.** Notice of the public hearing shall be published in a newspaper which circulates in the City, and sent by mail or personal delivery to the owners of property for which approval is being considered, to all persons to whom real property is assessed within 300 feet of the boundary of the property in question, and to the occupants of all structures within 300 feet regardless of whether the property or occupant is located in the zoning district. Such notice shall be given not less than fifteen (15) days before the date the application will be considered for approval. If the name of the occupant is not known, the term "occupant" may be used in making notification. Such notification shall be made in accordance with the provisions of Section 103 of Michigan Public Act 110 of 2006, as amended. Accordingly, the notice shall:
      1. Describe the nature of the planned unit development project requested.
      2. Indicate the property which is the subject of the request. The notice shall include a listing of all existing street addresses within the property. Street addresses do not need to be created and listed if no such addresses currently exist within the property. If there are no street addresses, other means of identification may be used.

3. State when and where the planned unit development project will be considered and the public hearing will be held.
  4. Indicate when and where written comments will be received concerning the request.
4. Planning Commission Preliminary Review. Following the public hearing, the planned unit development proposal and plan shall be reviewed by the Planning Commission in relation to applicable standards and regulations, compliance with the planned unit development regulations, and consistency with the intent and spirit of this Article.
- a. Preliminary Approval by the Planning Commission. Based on the standards and requirements set forth in this Ordinance and in this Section, the Planning Commission shall preliminarily approve, preliminarily approve subject to conditions, or deny the proposed planned unit development project and site plan.
  - b. Effect of Preliminary Approval or Denial. A preliminary approval shall mean that the planned unit development project and plan meet the requirements of this Ordinance. Subject to any conditions imposed by the Planning Commission as part of its motion, preliminary approval assures the applicant that the Planning Commission will grant final approval if:
    1. All state and county approvals are obtained;
    2. No unresolved negative comments are received by any governmental agencies or public utilities; and
    3. All federal, state and local laws and ordinances are met.

An unresolved negative comment shall be one that indicates the existence of a condition which is contrary to the requirements of this Ordinance or other applicable ordinances or laws, where such requirement has not been waived or dismissed as a result of an approval by the Planning Commission and City Council.

A denial shall mean that the proposed project and plan does not meet the requirements of this Ordinance. Any denial shall specify the reasons for denial and those requirements of the Ordinance that are not met.

If the Planning Commission determines that revisions are necessary to bring the planned unit development proposal into compliance with applicable standards and regulations, the applicant shall be given the opportunity to submit a revised plan. Following submission of a revised plan, the planned unit development proposal shall be placed on the agenda of the next scheduled meeting of the Planning Commission for further review and possible action.

5. State and County Approval.
  - a. All planned unit development projects shall require the review and approval of the following agencies prior to final plan approval:
    1. The Oakland County Road Commission (if the project abuts a road under Oakland County Road Commission jurisdiction);
    2. The Oakland County Drain Commission; and
    3. The Michigan Department of Natural Resources.

In the event that negative comments are received from any of these agencies, the Planning Commission shall consider the nature of such comments with respect to Ordinance requirements, conditions on the site, response from the applicant, and other factual data related to the issue or concern. Negative comments shall not automatically result in denial of the plan, but every effort shall be made to resolve any issues or concerns cited by these agencies prior to taking action on the plan.

- b. In addition to the specific required approvals, all planned unit development project plans shall have been submitted to each of the public utilities serving the site and any other local, county, or state agency designated by the Planning Commission for informational purposes. The Planning Commission shall consider any comments made by these agencies prior to final plan approval.

- (c) **Planning Commission Final Review and Approval.** Final approval shall be considered by the Planning Commission upon the receipt of all the following:

A revised, dated plan incorporating all of the changes, if any, required for preliminary approval;

Approved plans showing all required state and county approvals pursuant to Section 16.03, sub-section (b)5;

All comments pursuant to Section 16.03, sub-section (b)4.

1. Submission of Revised Plan. The applicant shall submit sixteen (16) copies of the revised plan to the Department of Building and Community Development for final review by the Planning Commission. The revised plan shall be submitted at least fifteen (15) working days prior to a scheduled meeting at which Planning Commission review is desired.
2. Final Approval by Planning Commission. The Planning Commission shall review the application for planned unit development, together with the public hearing findings and any requested reports and recommendations from the Building Official, City Planner, Police Chief, Fire Chief, City Engineer, and other reviewing agencies. The Planning Commission shall then make a recommendation to the City Council, based on the requirements and standards of this Ordinance. The Planning Commission may recommend approval, approval with conditions, or denial as follows:
  - a. Approval. Upon determination by the Planning Commission that the final plan for planned unit development is in compliance with the standards and requirements of this Ordinance and other applicable ordinances and laws, the Planning Commission shall recommend approval.
  - b. Approval with Conditions. The Planning Commission may recommend that the City Council impose reasonable conditions upon the approval of a planned unit development, to the extent authorized by law, for the purposes of insuring that public services and facilities affected by the proposed development will be capable of accommodating increased public service loads caused by the development, protecting the natural environment and conserving natural resources and energy, insuring compatibility with adjacent uses of land, and promoting the use of land in a socially and economically desirable manner. Conditions imposed shall be designed to protect the natural resources and the public health, safety and welfare of individuals in the development and those immediately adjacent, and the community as a whole. Conditions imposed shall also be necessary to meet the intent and purpose of this Ordinance and the standards set forth in Section 16.05. In the event that the planned unit development is approved subject to



specified conditions, such conditions shall become a part of the record of approval, and such conditions shall be modified only as provided in Section 16.07.

Where a project is proposed for construction in phases, the Planning Commission may recommend that final approval be granted contingent on subsequent review and approval of detailed site plans for individual buildings proposed for the later phases, provided that:

1. the location and approximate size of such buildings shall be shown on the overall plan for the planned unit development,
  2. detailed site plans for such buildings shall be submitted for review and approval in accordance with the site plan review requirements in Section 21.28 of this Ordinance, and
  3. phasing requirements in Section 16.06 shall be complied with.
- c. Denial. Upon determination by the Planning Commission that a planned unit development proposal does not comply with the standards and regulations set forth in this Ordinance, including Section 16.05, or otherwise would be injurious to the public health, safety, welfare, and orderly development of the City, the Planning Commission shall recommend denial.
3. Transmittal of Findings to City Council. The Planning Commission shall prepare and transmit a report to the City Council stating its conclusions and recommendation, the basis for its recommendation, and any recommended conditions relating to an affirmative decision.
- (d) **City Council Action Required**. Following receipt of the Planning Commission's report, the application shall be placed on the agenda of the next scheduled City Council meeting. The City Council shall review the final plan together with the findings of the Planning Commission, and, if requested, any reports and recommendations from consultants and other reviewing agencies. Following completion of its review, the City Council shall approve, approve with conditions, or deny a planned unit development proposal in accordance with the guidelines described previously in sub-section (c)2.
1. Effect of Approval. Approval of a planned unit development proposal shall constitute an amendment to the Zoning Ordinance. All improvements and use of the site shall be in conformity with the planned unit development amendment and any conditions imposed. Notice of the adoption of the amendment shall be published in accordance with the requirements set forth in this Ordinance. The applicant shall record an affidavit with the register of deeds containing the legal description of the entire project, specifying the date of approval, and declaring that all future improvements will be carried out in accordance with the approved planned unit development unless an amendment thereto is adopted by the City upon request of the applicant or his successors.
- (e) **Recording of Planning Commission and City Council Action**. Each action taken with reference to a planned unit development shall be duly recorded in the minutes of the Planning Commission or City Council as appropriate. The grounds for the action taken shall also be recorded in the minutes.
- (f) **Completion of Site Design**. Following final approval of the planned unit development proposal, a building permit may be obtained for the entire project or specific phases provided that final site plan approval for the project or the phase, as applicable, has been obtained in accordance with Section 21.28, and provided further that the engineering plans for the project or the phase, as applicable, have been approved by the City Engineer and Building Official. It shall be the responsibility of the applicant to obtain all other applicable City, County, or State permits prior to issuance of a building permit.

Construction shall commence on at least one phase of the project within twenty-four (24) months of final approval. The Planning Commission may consider a twelve (12) month extension, upon written request from the applicant, if it finds that the approved site plan adequately represents current conditions on and surrounding the site. The written request for extension must be received prior to the 24-month expiration date. In the event that construction has not commenced and a request for extension has not been received within 24 months, the City may initiate proceedings to amend the zoning classification of the site to return it to the same classification in effect before the planned unit development was approved.

It shall be the responsibility of the owner of a property for which approval has been granted to maintain the property in accordance with the approved planned unit development amendment on a continuing basis until the property is razed, or until an amendment to the planned unit development is approved. Any property owner who fails to so maintain an approved site design shall be deemed in violation of the Zoning Ordinance and shall be subject to the penalties appropriate for such violation.

Prior to expansion or conversion of a planned unit development project to include additional land, site plan review and approval shall be required pursuant to the requirements of this Article and Ordinance.

- (g) **Performance Guarantee.** A performance guarantee shall be deposited with the City to insure faithful completion of improvements, in accordance with Section 21.30.

## Section 16.05 -- APPLICATION DATA REQUIREMENTS

Applications for planned unit development shall include all data requirements specified in this Section. All information required to be furnished under this subsection shall be kept updated until a Certificate of Occupancy has been issued pursuant to Article 22.06 of this Ordinance.

- (a) **Requirements for Preliminary Review.** The following information shall be included on, or attached to, all planned unit development plans submitted for preliminary review. Upon review of a specific planned unit development proposal, the Planning Commission may waive or modify specify requirements if they are deemed unnecessary to make the determinations required by this Article. For example, if final site plan approval is not being sought as a part of the planned unit development approval for specific phases of a project, the Planning Commission may accept schematics and minimum or maximum development standards in lieu of specific plans and a detailed layout.
1. The name, address and telephone number of:
    - a. All persons with an ownership interest in the land on which the planned unit development project will be located together with a description of the nature of each entity's interest (for example, fee owner, optionee, leasee, or land contract vendee).
    - b. All engineers, attorneys, architects or registered land surveyors associated with the project.
    - c. The developer or proprietor of the planned unit development project.
  2. The legal description of the land on which the planned unit development project will be developed together with appropriate tax identification numbers.
  3. The acreage area of the land on which the planned unit development project will be developed.
  4. An overall conceptual land use plan for the planned unit development, drawn to scale. The overall plan shall graphically represent the development concept using maps and illustrations to indicate each type of use, approximate square footage or acreage allocated to each use, and

approximate locations of each principal structure and use in the development. The overall plan shall indicate types of residential use; office, commercial, industrial, and other non-residential uses; each type of open space; community facility and public areas; and other proposed land uses. The overall land use plan shall also include the following:

- a. A general location map.
  - b. Approximate locations and setbacks of each structure and use in the development.
  - c. Typical layouts and facade design for each type of use or building. Detailed information, including floor plans, facade elevations, and other information normally required for site plan review, shall be provided for buildings which are proposed for construction in the first phase.
  - d. The building footprint of proposed buildings. In the case of single family detached development, the plan should indicate the setbacks and outline of the area within which a house could be constructed on each lot.
  - e. The vehicular circulation system planned for the proposed development, including a designation of each street as to whether it is proposed to be private or dedicated to the public.
  - f. The location of existing private and public streets adjacent to the proposed development with an indication of how they will connect with the proposed circulation system for the new development.
  - g. The approximate layout of parking areas, open space, and recreation/park areas.
  - h. Proposed landscape screening along the perimeter and within the site, including greenbelts, berms and screening walls.
5. The maximum number of non-residential and residential units to be developed on the subject parcel.
  6. An environmental analysis of the land, including a topographic survey, hydrology study, analysis of soil conditions, and analysis of other significant environmental features.
  7. Specific locations and dimensions of wetland areas and significant site features such as tree stands, unusual slopes, streams and water drainage areas.
  8. A map showing existing zoning designations for the subject property and all land within one quarter mile.
  9. A map and written explanation of the relationship of the proposed planned unit development to the City's Master Plan and Future Land Use Map.
  10. Maps and written analysis of the significant natural, cultural, and geographic features of and near the site. Features which shall be considered include existing vegetation, topography, water courses, wildlife habitats, streets and rights-of-way, easements, structures, and soils.
  11. An analysis of the traffic impact of the proposed planned unit development on existing and proposed streets.
  12. An analysis of the fiscal impact of the proposed planned unit development on the City of Walled Lake and the Walled Lake School District.

13. Documentation that the applicant has sufficient development experience to complete the proposed project in its entirety.
  14. Information concerning the storm water and drainage system, sanitary sewer service, water service, and other utility systems.
  15. Location of sidewalks along roads and elsewhere within the development.
  16. A specific schedule for completing the planned unit development, including the phasing or timing of all proposed improvements.
  17. If final site plan approval is being sought, then the information required in Section 21.28 for site plan review shall be submitted.
- (b) **Requirements for Final Review.** The following information shall be included on, or attached to, all planned unit development plans submitted for final review:
1. All information required for preliminary review as specified in Sections 16.04, sub-section (a) above.
  2. Detailed site plans for all buildings and uses which are proposed for construction in the first phase. Detailed site plans shall comply with the site plan review requirements in Section 21.28 of this Ordinance. Where a project is proposed for construction in phases, the Planning Commission may recommend that final approval be granted contingent on subsequent review and approval of detailed site plans for individual buildings proposed for the later phases.
  3. Detailed engineering plans for the entire development or the first phase, as applicable. The plans shall be prepared in accordance with the engineering standards adopted by the City Council, including the following:
    - a. Engineering plans for all roads, drive aisles, and paved areas,
    - b. Site drainage plans, including retention and/or retention areas,
    - c. Engineering plans for proposed utility systems, including sanitary sewerage and water systems.
    - d. Plans for controlling soil erosion and sedimentation during construction.
  4. If the Planned Unit Development is to be constructed in phases, the developer shall obtain final review and approval for each phase prior to the commencement of construction for that phase.

## **Section 16.06 -- STANDARDS AND REQUIREMENTS WITH RESPECT TO REVIEW AND APPROVAL**

In considering any application for approval of a planned unit development plan, the Planning Commission and City Council shall make their determinations on the basis of the standards for site plan approval set forth in Section 21.28, as well as the following standards and requirements:

- (a) **Conformance with the Planned Unit Development Concept.** The overall design and all uses proposed in connection with a planned unit development shall be consistent with and promote the intent of the planned unit development concept, as well as with specific project design standards set forth herein.

- (b) **Compatibility with Adjacent Uses.** The proposed planned unit development shall set forth specifications with respect to height, setbacks, density, parking, circulation, landscaping, views, and other design and layout features which exhibit due regard for the relationship of the development to surrounding properties and the uses thereon. In determining whether this requirement has been met, consideration shall be given to:
  - 1. The bulk, placement, and materials of construction of proposed structures.
  - 2. The location and screening of vehicular circulation and parking areas in relation to surrounding development.
  - 3. The location and screening of outdoor storage, outdoor activity or work areas, and mechanical equipment in relation to surrounding development.
  - 4. The hours of operation of the proposed uses.
  - 5. The provision of landscaping and other site amenities.
  
- (c) **Public Services.** The proposed planned unit development shall not exceed the capacity of existing and available public services, including but not necessarily limited to utilities, public roads, police and fire protection services, and educational services, unless the proposal contains an acceptable plan for providing necessary services or evidence that such services will be available by the time the planned unit development is completed.
  
- (d) **Impact of Traffic.** The planned unit development shall be designed to minimize the impact of traffic generated by the proposed development on surrounding uses. In determining whether this requirement has been met, consideration shall be given to:
  - 1. Access to major thoroughfares.
  - 2. Estimated traffic to be generated by the proposed development.
  - 3. Proximity and relation to intersections.
  - 4. Adequacy of driver site distances.
  - 5. Location of and access to off-street parking.
  - 6. Required vehicular turning movements.
  - 7. Provisions for pedestrian traffic.
  
- (e) **Protection of Natural Environment.** The proposed planned unit development shall be protective of the natural environment, and shall be in compliance with all applicable environmental protection laws and regulations.
  
- (f) **Compatibility with the Master Plan.** The proposed planned unit development shall be consistent with the general principles and objectives of the adopted Master Plan and Future Land Use Map.
  
- (g) **Compliance with Applicable Regulations.** The proposed planned unit development shall be in compliance with all applicable Federal, state, and local laws and regulations.

**Section 16.07 -- PHASING AND COMMENCEMENT OF CONSTRUCTION**

- (a) **Phasing.** Where a project is proposed for construction in phases, the project shall be so designed that each phase, when completed, contains all essential features, services, and facilities, necessary to assure the long-term viability of each such phase, even if later phases are not completed.

In addition, proposed phasing shall comply with the following requirements:

- 1. In developments which include residential and non-residential components, the residential component shall be completed at the same rate or prior to the non-residential component. For example, if fifty percent (50%) of the non-residential component is proposed to be completed in a certain phase, then at least fifty percent (50%) of the residential component should be completed in the same phase. One hundred percent (100%) of the residential component shall be completed prior to the final phase of non-residential construction. The construction of roads, utilities, and other infrastructure shall be considered completion of a residential component.

The purpose of this provision is to ensure that planned unit developments are constructed in an orderly manner and, further, to ensure that the planned unit development approach is not used as a means of circumventing restrictions on the location or quantity of certain types of land use. For purposes of carrying out this provision, the percentages shall be approximations as determined by the Planning Commission based on the floor area and land area allocated to each use. Such percentages may be varied should the City Council, upon recommendation from the Planning Commission determine that the applicant has presented adequate and effective assurance that the residential component or components of the project shall be completed within the specified period.

- 2. Construction shall be commenced for each phase of the project within twenty-four (24) months of the schedule set forth on the approved plan for the planned unit development. The applicant may submit a revised phasing plan for review and approval by the Planning Commission. The applicant shall also submit a statement indicating the conditions which made the previous phasing plan unachievable. In the event that construction has not commenced within the required time period and a revised phasing plan has not been submitted, the City may initiate proceedings to amend the zoning classification of the site to return it to the same classification in effect before the planned unit development was approved.

**Section 16.08 -- REVISION OF APPROVED PLANS**

- (a) **General Revisions.** Approved final plans for a planned unit development may be revised in accordance with the procedures set forth in Section 16.03.
- (b) **Minor Changes.** Notwithstanding sub-section 16.07(a), above, minor changes may be permitted by the Planning Commission following normal site plan review procedures outlined in Section 21.28, subject to its finding that:
  - 1. Such changes will not adversely affect the initial basis for granting approval.
  - 2. Such minor changes will not adversely affect the overall planned unit development in light of the intent and purpose of such development as set forth in Section 16.01.