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**CITY OF WALLED LAKE
PLANNING COMMISSION
TUESDAY, SEPTEMBER 8, 2026**

The Meeting was called to order at 7:30 p.m.

Pledge of Allegiance led by Chairman Schinzing.

ROLL CALL: Bashir, Fernandes, Martin, Schinzing, Swiatek, Whitt

ABSENT: Amin

OTHERS PRESENT: Planning Consultant Ortega and City Clerk Stuart

REQUESTS FOR AGENDA CHANGES: None

**PC 09-01-26 MOTION TO EXCUSE COMMISSIONER AMIN FROM
TONIGHT'S MEETING**

Motion by Whitt, seconded by Fernandes, CARRIED UNANIMOUSLY: To excuse Commissioner Amin from tonight's meeting.

APPROVAL OF THE MINUTES

1. Planning Commission Minutes from August 11, 2026

**PC 09-02-26 MOTION TO APPROVE AUGUST 11, 2026 PLANNING
COMMISSION MINUTES**

Motion by Martin, seconded by Swiatek, CARRIED UNANIMOUSLY: To approve August 11, 2026 Planning Commission minutes.

AUDIENCE PARTICIPATION: None

COMMUNICATION: None

UNFINISHED BUSINESS:

1. C-377-26 Amendment to Chapter 51, Article 16 Planned Unit Development

Planner Ortega stated that he had not received any edits, changes, or text recommendations from the Commission. The draft was based on comments received during prior discussions.

Chairman Schinzing asked what the next step would be.

City Planner Ortega explained that, if the Commission is ready, a public hearing would be scheduled before the Planning Commission. Following the public hearing, the Commission could make any necessary changes based on public comment and then make a recommendation to the City Council for adoption.

Chairman Schinzing asked the Commission members if they had reviewed the draft and whether they had any questions.

Commissioner Swiatek questioned why the ordinance establishes standards but also provides an opportunity to go beyond those standards.

Planner Ortega explained that the city has developed over many years, and ordinances establishing requirements such as building height and density may not be applicable to every lot or development situation. He explained that a variance is very specific and requires a unique circumstance related to a particular property that warrants approval. A PUD, on the other hand, allows for a development modification in exchange for a recognizable benefit to the city. Planner Ortega explained that the Commission could make the ordinance very specific or more general, with strict and limited modifications or a broader range of potential modifications. He stated that communities approach PUD regulations differently, with some being very stringent and others allowing a wider variety of modifications. He explained that the purpose of the proposed ordinance is to clean up the city's existing ordinance, clarify the review process, and establish what types of uses and modifications could be permitted through a PUD. As an example, he referenced a potential 10% increase in maximum density in exchange for a development providing a specified benefit, such as using brick throughout the building. He stated that the Commission could choose not to allow certain deviations.

Commissioner Swiatek stated that the standards are not viewed as standards from a builder's perspective. He referenced the residential density provision and questioned the provision allowing density to exceed the standard by up to 50%, stating that he believed such an allowance was excessive.

Planner Ortega explained that the language was contained in the existing ordinance and that it was appropriate to present the Commission with a document to review and determine which provisions should remain or be changed.

Commissioner Swiatek stated that he understands the variance process based on his own experience when he purchased his property and sought a variance to construct a detached garage. He stated that variances should address unique situations on a case-by-case basis. He questioned why the city should establish a percentage allowing a developer to exceed a standard rather than reviewing each situation individually.

Planner Ortega explained that the Commission could choose not to allow an increase in residential density. The Commission could establish a limit or choose not to establish one.

Chairman Schinzing asked whether a specific number must be included.

Planner Ortega explained that the ordinance establishes the framework for what can and cannot be requested and identifies the zoning districts in which a PUD may be permitted.

City Manager Whitt explained that the standards are part of the existing ordinance and reflect decisions made when the regulations were originally developed. He stated that the standards can be changed, but any changes would ultimately be subject to City Council approval. He noted that the City Council has the final authority. He described a PUD as a give-and-take opportunity between the city and a developer.

Commissioner Swiatek stated that he understands that the standards may have made sense 30 or 40 years ago, but the city now has significant traffic, water, and sewer concerns. He noted that there is limited open land and expressed concern that developers may seek to maximize what can be developed on a property. He stated that city roads, water, and sewer infrastructure are already heavily utilized.

Chairman Schinzing asked whether the provision should be removed and what changes the Commission would like to make.

Commissioner Swiatek stated that if the standard allows 27 units when the underlying standard allows 25 units, then the standard is not meaningful if the city does not adhere to it. He referenced the Dairy Queen development as an example, stating that during the summer, entering and exiting the property onto Pontiac Trail can present a safety concern. He questioned how the development had been approved.

Chairman Schinzing asked Commissioner Swiatek what he would propose, including whether a 5% increase would be appropriate.

City Manager Whitt agreed that the Dairy Queen development was a poor example of development. He stated that the decisions made at the time may have appeared reasonable to those making them.

Planner Ortega stated that the issue is challenging and that the details are important. He provided the example of the former school property, which is approximately 5.5 acres and zoned CS and RM-1. Under the current standards, approximately 44 apartments could be permitted. A 5% increase would allow approximately two additional apartments. He explained that the older ordinance established a standard but allowed a developer to request an increase in a broad, general manner. The current Council has expressed concern that the existing language is not sufficiently quantitative. Planner Ortega stated that the Commission could begin by determining what it would like the ordinance to allow.

Chairman Schinzing stated that density is one of the biggest considerations. He noted that some Commission members may not want the density provisions changed and expressed concern that excessive density could negatively affect the City.

Planner Ortega stated that redevelopment is important to the city and that the current ordinances do not adequately address redevelopment. He explained that the appropriate development intensity depends on the site and that the value generated per acre can vary depending on the property.

Chairman Schinzing stated that the Commission had been satisfied with the building that existed on the former school property before it was demolished.

City Manager Whitt stated that the city had taken legal action in an effort to preserve the building and that the city had sought a reasonable development.

Chairman Schinzing stated that the situation created the issue being discussed and that he did not want the ordinance rewritten simply to make development easier.

City Manager Whitt stated that if the specifications were changed, the city could identify prior development decisions that resulted in problems.

Commissioner Swiatek stated that the intent is not to prevent development, but the city should not create regulations simply to allow a school district or developer to make money. He stated that the city does not owe developers anything and that the property involved was taxpayer property, not the school district's property.

Planner Ortega explained that redevelopment is an important consideration as the city ages. As buildings age, the city needs regulations that allow properties to be redeveloped. He noted that some buildings throughout the city have been renovated successfully, while other properties remain underutilized or deteriorated. He stated that the Commission can determine which zoning districts should allow PUD development.

Section A – Permitted Districts

Commissioner Fernandes stated that the ordinance should be considered not only for current conditions but also for the needs of the city decades into the future.

Section B – Minimum Lot Area

Planner Ortega explained that a PUD is not proposed for the single-family residential district. He stated that the proposed minimum lot area is one acre for most zoning districts. He explained that the minimum could be reduced for C-3 because those lots are generally smaller, if the Commission wishes to provide an opportunity for development on downtown properties. He noted that C-3 allows two-story development.

Chairman Schinzing asked whether downtown development would have a different development process.

Planner Ortega stated that it would not.

Commissioner Fernandes noted that the downtown buildings are generally individual properties and entities.

Chairman Schinzing stated that he was comfortable with having no minimum lot area for C-3.

Section C. Permitted Uses

Planner Ortega explained that the focus is on mixed-use residential and commercial development. He stated that in the downtown area, along Pontiac Trail, or along East West Maple Road, a development could include a variety of activities while also allowing residential occupancy. He explained that the intent is to allow mixed-use development in appropriate areas throughout the city.

Chairman Schinzing asked whether Planner Ortega had reviewed suggestions or examples from other communities.

Planner Ortega explained that zoning ordinances are the regulations used to implement the City's Master Plan. He stated that the intent of the Master Plan is to encourage a greater mix of uses in appropriate areas.

Commissioner Swiatek stated that the city already has some mixed-use development and questioned how those businesses are performing. He asked whether there was information regarding business turnover, including which businesses have succeeded or failed. He stated that he had not visited some of the establishments within these developments and believed the Commission should have data to determine whether the city should continue pursuing this type of development.

Planner Ortega explained that some of that information may not be readily available but that the city could potentially review vacancy rates. He stated that the city does not currently have a high vacancy rate. He referenced the Maple Plaza shopping center, which includes the Salvation Army store, and explained that vacancies can be attributed to many factors, including online shopping and changes in consumer behavior. He stated that adding residential uses in conjunction with commercial uses may help support and populate storefronts.

Commissioner Fernandes noted that such a change would involve a rezoning request. Planner Ortega stated that the Commission has the ability to establish zoning regulations and determine what uses may be permitted.

Chairman Schinzing stated that a PUD creates an option, but if a developer submits an unreasonable request, the Commission can deny it. He stated that this is the purpose of a PUD: to allow the Commission to review a proposal and determine whether it should be approved or denied. He noted that the Planning Commission makes a recommendation to the City Council. He stated that the city should not close all opportunities for development and that while density may be a concern, the Commission may be open to other creative development concepts.

Commissioner Martin stated that she had questions regarding the Master Plan. She referenced the five types of uses identified in the commercial district and Section 11.4 regarding Parks and Recreation, which discusses an agreement with the school board. She questioned whether that agreement remains valid.

City Manager Whitt stated that the issue was timely because the City Council had instructed the Planning Commission to update or completely redo the Master Plan. He reminded the Commission that the Master Plan is a guide. He stated that, to his knowledge, the school board had not worked with the city during his tenure.

Planner Ortega explained that the Master Plan identifies uses that could potentially be appropriate in various areas.

D. Applicable Base Regulations

No comment

E. Regulatory Flexibility

No comment

F. Residential Density

The Commission discussed a proposed 5% increase in residential density.

G. Phasing

Chairman Schinzing stated that he liked the phasing provision.

Commissioner Swiatek expressed concern that the language was open-ended based on his experience with developers completing projects in two or three phases.

Chairman Schinzing asked whether the city must approve the development phases.

Planner Ortega explained that regardless of what is proposed, the provision requires all necessary services to be addressed within each phase, including stormwater and other required infrastructure.

Commissioner Swiatek asked whether there should be a time-frame limitation, such as requiring construction to begin or be completed within one year.

Planner Ortega explained that following site plan approval, an applicant generally has one year to apply for a building permit. Once a building permit is issued, there is greater latitude during the actual construction process, which is overseen by the Building Official. He stated that there is no specific hard deadline requiring a project to be completely constructed within a particular period.

Commissioner Swiatek stated that he would like to see a definitive completion date. He stated that the city is currently dealing with an example where a development remained incomplete and created safety concerns. He believed a firm deadline was necessary.

Planner Ortega explained that the issue is generally addressed through the building code. He stated that under the Michigan Zoning Enabling Act, the Commission may have the ability to rescind certain approvals. He noted that a completion requirement could potentially be established as a condition of a PUD or development agreement, but legal counsel would need to review such language. He reiterated that the issue is primarily addressed through the building code.

Commissioner Swiatek stated that, regardless of which mechanism is used, there needs to be a definitive deadline to prevent similar situations in the future.

Planner Ortega stated that the Commission may not have authority to control certain aspects of construction timing and that overly restrictive requirements could interfere with legal rights.

City Manager Whitt stated that the city has tools available to address these situations but also needs the political will to take action when necessary.

Section 51-16.03 Recognizable Benefits (A)

Commissioner Martin asked whether the language regarding high-quality architectural design features could be made more specific.

Planner Ortega stated that the Commission could establish more specific standards if desired and asked whether the Commission wanted additional details.

Chairman Schinzing stated that the provision raises the development standards beyond what currently exists.

Commissioner Martin stated that if the provision applies to downtown development, the city should maintain the same historical design standards.

Commissioner Fernandes referenced an apartment development where design requirements, including dormers on the roof and increased landscaping, were incorporated through the PUD process.

Planner Ortega stated that the Commission could establish more specific language regarding the required benefits.

Commissioner Fernandes suggested that exterior mechanical equipment should be screened and that dumpster enclosures should include doors.

51-16.04 Review Process (A)

Commissioner Martin stated that the review process addresses the necessary items and provides additional direction.

Chairman Schinzing asked whether an applicant could still submit a proposal if the Commission did not support a particular provision.

Commissioner Fernandes stated that having a clearly defined process is one of the most important aspects of the ordinance and that the section outlines that process.

City Manager Whitt stated that, as Commissioner Swiatek had previously indicated, developers will generally request everything they believe they can obtain beyond the existing ordinances. He stated that the Commission's role is to establish the appropriate guardrails.

Chairman Schinzing stated that the process should provide information to applicants upfront and potentially prevent applicants from spending money on a proposal that is unlikely to be supported.

Commissioner Martin stated that signage is a concern.

Chairman Schinzing stated that Sections C, D, and E were among the reasons the review process was initiated. He stated that he would like to retain these provisions because he believed they were consistent with what the City Council wants to see.

51-16-05 Standards for PUD Approval

The Commission reviewed the standards for PUD approval.

51-16.06

(A) Commencement of Construction

City Planner Ortega explained a Performance Guarantee the city will use the funds to continue the plan to complete with their funds. This option is for the city to utilize these funds to complete to a finished state. Ortega public, health safety and welfare the Building Official has the authority to take to court to finish. This is addressed per applicant with the Finance Director Building Official orchestrating.

(B) no comment

(C) no comment

Chairman Schinzing stated that the ordinance is a complicated process and asked whether the language should be simplified.

City Manager Whitt explained that the Planning Commission would be recommending changes to the existing ordinance. He stated that any changes would require an ordinance amendment and

that the language should be finalized before the public hearing. The process would be to finalize the language, hold the public hearing, and then make a recommendation to the City Council. He stated that the proposed changes would establish the appropriate guardrails for PUD development.

Chairman Schinzing noted that both 5% and 10% increases had been discussed.

Planner Ortega explained that the proposed percentage would be included in the presentation to the public. He stated that the Commission would have the opportunity to consider public reaction and that the City Council would also have an opportunity to provide input.

Commissioner Fernandes stated that if a developer requests increased density, the developer should have to demonstrate a hardship.

Planner Ortega explained that a PUD modification is not the same as a variance and cannot be based solely on economic considerations. He stated that the Master Plan identifies items the Commission may wish to encourage and that an applicant should provide a recognizable benefit to the city in exchange for a modification. He recommended that the Commission establish specific, measurable, and quantifiable standards with a defined cap. He noted that the current ordinance is open-ended. Planner Ortega suggested starting with a specific percentage and establishing a second level that would require an additional benefit to the City.

Commissioner Fernandes stated that construction costs are currently very high. She gave an example of a property where four units are permitted and questioned whether additional housing could be appropriate if the City's water, sewer, and road infrastructure could accommodate it. She said that the city needs additional housing stock.

Planner Ortega stated that developers must consider their return on investment, but the Commission should base its decisions on available information rather than the financial projections provided by developers. He strongly recommended that the second level of flexibility requires a specific feature or benefit to the city.

Commissioner Martin stated that the PUD ordinance appears to be more applicable to new construction.

Chairman Schinzing proposed considering 5% and 10% as potential limits. The Commission discussed whether the maximum increase should be 5% or 10%.

Planner Ortega explained that PUD modification is not the same as a variance and cannot be based solely on economic considerations. He stated that the Master Plan identifies items the Commission may wish to encourage and that an applicant should provide a recognizable benefit to the city in exchange for a modification. He recommended that the Commission establish specific, measurable, and quantifiable standards with a defined cap. He noted that the current ordinance is open-ended.

Planner Ortega suggested starting with a specific percentage and establishing a second level that would require an additional benefit to the City. Planner Ortega stated that developers must consider their return on investment, but the Commission should base its decisions on available information rather than the financial projections provided by developers. He strongly recommended that the second level of flexibility requires a specific feature or benefit to the city.

Commissioner Martin stated that the PUD ordinance appears to be more applicable to new construction.

2. Commercial Design Standards

Chairman Shinzing asked if this was all new.

City Planner Ortega explained this was presented to the commission prior.

Commissioner Martin asked about the window space coverage and said there are windows covered with paintings, etc.

Commissioner Bashi explained that the ice cream shop looks have extensive window paintings and is not designed in such a way that is appealing to her.

Commissioner Martin explained if you do dress the window, for example holiday time, make it consistent. It needs to stay and must be followed.

City Planner Ortega said this is a design standard, in all commercial districts. Window signage does not require a permit. If above is extensive, it is a code enforcement issue.

Chairman Schinzing said there are current businesses that are not following the ordinance.

City Manager Whitt explained his support of advancing the commercial design standards.

Chairman Schinzing asked board members if they agree with a maximum of 25% window coverage.

City Planner Ortega said the current ordinance says 33%. He explained if the commission wants, they can schedule a public hearing.

City Manager Whitt said he would recommend scheduling both at same time. You will have public present, discuss both and they can take the time to speak on both.

DISCUSSION: None

COMMISSIONERS' COMMENTS:

Commissioner Swiatek said he has lived here his whole life, when the new post office was built in the late 90's, bushes and vegetation in parking lot and whatever. He said we had 50 bushes, salt kills vegetation, 1 out of every 4 bushes survived. They were all torn out. It makes no sense to him to have an island, and plantings are in a salt area for winter months.

City Manager Whitt said he agrees with Commission Swiatek, it looks good at the moment of planting but that is all.

City Planner Ortega explained requirements such as planting requirements swing on a pendulum. Bumper blocks are a good example of this, plow trucks have no patience, when the snow falls, they want to run as fast as they can, to get to the next one. He said rightly so, it does take longer with raised bed islands, swung back the other way. Landscape island species pick is important. The islands then take on the holding tank for all the snow removal. Owners don't want to pay for snow storage elsewhere, so it ends up on the island.

City Manager Whitt said City Council instructed the master plan to be reviewed and updated. He asked if the commission members were ok to work off the internet file. Does the commission want a hard copy, we will have some made. City Planner will review. City Attorney will review.

City Planner Ortega explained intent process for creating a new master plan. There are specific requirements, making neighboring communities aware of review, administration will review the options. The commission will have a schedule for review and adoption. Planner Ortega explained training typically begins with Planning and Zoning Essentials which he could do.

Chairman Schinzing requested a list of projects and a list of projects in the queue. He asked for it to be sent before next meeting.

PC 09-03-26 ADJOURNMENT

Motion by Bashi, seconded by Martin, CARRIED UNANIMOUSLY: To adjourn the meeting at 9:31 PM

Jennifer A. Stuart
City Clerk

Russ Schinzing
Chairman



Walled Lake Planning & Zoning Report

OCTOBER 2026

Each month, the City's Administrative Staff, City Engineer, Department of Public Works, Fire Department and Planning Consultant, McKenna, provide on-going support to residents, businesses, property owners and interested developers in the process land development and renovation by providing information on all applicable City ordinances, attend pre-application meetings, assist in the submittal, review and processing of plans and permits for development projects. Below is a summary of new and on-going projects, applications and reviews.

DEPARTMENT INITIATIVES AND PROJECTS

LOCATION	NAME	REVIEW & APPROVAL STATUS
1237 E. West Maple Rd	Market Style Fueling Station Special Land Use and Site Plan Review	- December 3, 2025: Held preapplication meeting with developer representative. - January 6, 2026: Provide first Special Land Use and Site Plan Review letters to applicant. - January 30, 2026: Provided Site Plan Review letter #2 based on revised plans and further discussion. - April 14, 2026: Planning Commission Meeting – Application granted Special Land Use approval contingent upon site plan approval. Site Plan Review resulted in Planning Commission tabling the plan for applicant to submit revised draft. <u>STATUS: Revised plans have not been submitted.</u>
1126 N Pontiac Trail	Proposed Commercial Multi-Tenant Building Renovation and Coffee Shop outlot with Drive-thru Special Land Use and Site Plan Review	- February 5, 2025: Held preapplication meeting with developer representative. - March 27, 2026: Provide first Special Land Use and Site Plan Review letter to applicant. - April 14, 2026: Planning Commission Meeting – Application granted Special Land Use approval contingent upon site plan approval. Site Plan Review resulted in Planning Commission tabling the plan for applicant to submit revised draft. - Waiting on resubmittal from applicant - September 2, 2026: Held preapplication meeting with developer representative now proposing a gas station in front of the existing building with a convenience store, drive-through restaurant and multi-tenant space renovation of building. <u>STATUS: Revised plans have not been submitted.</u>

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615 N Pontiac Trail	Proposed PUD Apartment Complex on Old School Property	• December 3, 2025: Discussed proposed PUD with City Staff • January 5, 2026: Provide first Planned Unit Development (PUD) Review letter • May 12, 2026: Planning Commission Meeting – Application reviewed and discussed by Planning Commission and application tabled. <u>STATUS: Revised plans have not been submitted.</u>
1035 E Walled Lake Drive	Proposed Office Building	• March 18, 2026: Met with developer interested in 3-story 8 unit townhouse development for site. • September 2, 2026: Meeting with developers proposing a two-tenant medical office building concept and reviewed zoning ordinance requirements. Discussed challenges posed by standards and lot configuration. • October 7, 2026: Held pre-application with developer's engineer to review storm water and fire department requirements for proposed revised concept plan. <u>STATUS: Waiting on developer to submit application</u>

LOOKING AHEAD: POTENTIAL PROJECTS

Master Plan: The creation of a new Master Plan for the City will begin in October 2026 and will be completed by June 2027. Master Plan process will be outlined and reviewed by Planning Commission in compliance with statutory requirements.



Memorandum

TO: Walled Lake Planning Commission

FROM: Mario A. Ortega, AICP

SUBJECT: **Article 16 PUD Ordinance – Revised Draft**

DATE: October 7, 2026

Based on our discussion at the September meeting, please find attached a revised draft of a proposed Planned Unit Development (PUD) ordinance.

These changes include allowing those lots smaller than one acre in the downtown/central business district the opportunity to utilize the PUD option. The residential density standards have been revised to permit no more than an additional 5% of the permitted number of units. Another option is proposed as a result of our discussion around allowing some type of flexibility to the density bonus if a developer does go above and beyond and presents something that meets the desires of the City. A additional 5% density bonus is proposed if the applicant meets more of the recognizable benefits criteria. The recognizable benefits have then been edited to provide more detail for each particular category. These edits provide more specific ways that those benefits can be achieved.

We look forward to discussing these revisions and addressing any additional changes.

REVISED DRAFT
PLANNED UNIT DEVELOPMENT
ZONING ORDINANCE AMENDMENTS
CITY OF WALLED LAKE, MICHIGAN

First draft of ordinance language is in normal black font.

~~First draft language proposed for removal based on 9/8/2026 PC comments is in red strikethrough font.~~

New proposed text based on 9/8/2026 PC comments is in underlined blue font.

Article 16 – Planned Unit Development

Sec. 51-16.01 – Intent. Planned unit development (PUD) is intended to offer an alternative to traditional development by permitting flexibility in the regulations for development. The PUD standards are provided to allow a combination of uses, while maintaining a consistent implementation of the goals and objectives of the City's Master Plan.

Sec. 51-16.02 – Minimum Requirements and Permitted Modifications.

- (A) **Permitted Districts.** A PUD may be permitted in the RM-1 Multiple Family Residential, RM-2 Multiple Family Residential, RM-3 Multiple Family Residential, C-1 Neighborhood Commercial, C-2, General Commercial and C-3 Central Business zoning districts.
- (B) **Minimum Lot Area.** A PUD in the RM-1, RM-2, RM-3, C-1 and C-2 zoning districts shall contain a minimum land area of one (1) acre. A PUD in the C-3 zoning district shall contain a minimum land area of 1,800 square feet.
- (C) **Permitted Uses.** The following land uses may be included in a PUD, subject to adequate public health, safety, and welfare protection mechanisms being designed into the development to ensure the compatibility of varied land uses both within and outside the development.
1. Attached residential dwelling units
 2. Retail commercial uses excluding smoke shops and adult businesses
 3. Service commercial uses
 4. Professional office uses
 5. Restaurants excluding drive-through windows
 6. Places of assembly including theaters
- (D) **Applicable Base Regulations.** Unless waived or modified in accordance with Sec. 51-16.02(E), all ordinance standards, including but not limited to the yard and bulk, parking, loading, landscaping and lighting for the district in which a planned unit development is proposed shall be applicable for uses proposed as a part of a planned unit development.
- (E) **Regulatory Flexibility.** To encourage flexibility and creativity consistent with the Planned Unit Development concept, departures from the regulations in Sec. 51-16.02(D) may be permitted, subject to review and approval by the Planning Commission and City Council. Such departures may include, but are not limited to, modifications to floor area standards; setback requirements, building height, density standards; parking, loading, and landscaping requirements. Such modifications may be permitted only if they will result in a higher quality of development than would be possible without the modifications.

(F) Residential Density. The standard permitted number of residential units included within a PUD shall be equal to the number of residential uses allowed under the RM-2 standards in Sec. 51-17.02(d) on the site.

1. Permitted Residential Density Increase. Modifications to the density of the residential use within a planned unit development may be permitted upon a determination through the PUD review process that the desired density will not adversely affect water and sewer services, storm water drainage, road capacity, parks and recreation, fire and police services, character of the area, and any planned public and private improvements in the area. The number of permitted reThe maximum permitted increase in residential density shall not exceed ~~450%~~five percent (5%) above~~of~~ the total permitted number of residential dwelling units ~~if the site were to be~~that may be developed under the regulations of the RM-2 zoning district.

~~(F)~~**2. Additional Residential Density Increase.** An additional five percent (5%) density bonus above the density increase permitted in Sec. 51-16.02(F)(1) above may be granted through the review process if the Planning Commission and City Council make the determination that the proposed PUD will be able to provide a minimum of six (6) of the recognizable benefits outlined in Sec. 51-16.03(A).

(G) Phasing. Where a project is proposed for construction in phases, the planning and design shall be such that, upon completion, each phase shall be capable of standing on its own in terms of the presence of services, facilities, and open space, and shall contain the necessary components to ensure protection of the health, safety, and welfare of the users of the PUD and the residents of the surrounding area. In addition, in developments that include residential and non-residential uses, the relative mix of uses and the scheduled completion of construction for each phase shall be disclosed and determined to be reasonable in the discretion of the Planning Commission.

Sec. 51-16.03 – Recognizable Benefits.

(A) The applicant shall demonstrate to the City that the PUD provides at least four of the following site design elements that could not be attained through a project designed under conventional zoning. In granting the relaxation of any district requirements, the City may require the applicant to demonstrate through documentation that the project will not be detrimental to the public health, safety, welfare of the future occupants, the surrounding neighborhood, or the City as a whole. Such documentation may include, but is not limited to, traffic impact studies, environmental impact studies, market needs assessments, infrastructure impact studies and any other reports or studies.

1. **Exemplary Architectural Design.** The PUD will result in buildings that have ~~H~~high quality architectural design, beyond the site plan requirements of this title above the minimum requirements of Sec. 51-21.11. Such design may include utilizing brick and stone material on 100% of the walls on all building elevations, utilizing horizontal and vertical design elements on all building elevations, and utilizing architectural design elements on all elevations.
2. **Exemplary Landscaping.** The PUD will result in ~~E~~extensive landscaping, beyond the ~~site plan~~ requirements of ~~this title~~Sec. 51-21.35. Extensive landscaping may include at least an additional 10% increase in the minimum number of required tree and shrubs required on the site, providing all species native to Michigan and the number of trees or shrubs provided not exceeding 15% of the particular any one tree or shrub species.
3. **Historic Preservation.** The PUD shall ~~p~~Preserv~~ation~~ or enhancement~~ment of the~~ historic resources within the City.
4. **Open Space.** The PUD will provide ~~Provision of~~ open space ~~or providing~~in the form of parks, public plazas or gathering spaces.

5. Efficient and Effective Site Design. The PUD will result in the ~~E~~fficient consolidation of poorly dimensioned parcels or correct long-standing site issues that eliminate legal and illegally nonconformities.
6. Efficient Vehicle Access. The PUD will improve traffic circulation on a site or in the immediate area. This may be done through ~~S~~shared vehicular access between properties or uses, elimination of curb cuts that create traffic conflict points on adjacent streets, or reducing the vehicle trips onto adjacent roads.
7. Mixed Uses. The PUD will provide a ~~A~~ complementary mix of uses or a variety of housing types and commercial opportunities that create a desirable place to live, work and shop on one site.

Sec. 51-16.04 – Review Process.

(A) Pre-Application Conference. Prior to the submission of an application for PUD approval, the applicant shall meet with the City Manager. The applicant shall present the following:

1. A parallel plan illustrating a development using conventional zoning permitted under the City's current zoning designation.
2. A sketch plan illustrating the development proposed under the PUD.
3. Each sketch plan shall include the following information: total number of acres in the project; a statement of the number of residential units, if any; the number and type of nonresidential uses, the number of acres to be occupied by each type of use; the known deviations from ordinance regulations to be sought; and the number of acres to be preserved as open or recreational space.
4. Documentation indicating how the proposed development represents a Recognizable Benefit, Section 51-16.03.
5. If the City Manager agrees that the PUD proposal has merit and has potential to meet the Standards for Approval, an application may be filed for PUD review in conformance with the remaining requirements in Section 51-16.04(A). If the City Manager does not agree that the proposed PUD meets the Standards for Approval, he shall deny the proposal and provide reasons in writing to the applicant.

(B) Preliminary PUD Site Plan: Document Submittal. After the City Manager has determined that the PUD proposal has merit, the applicant shall prepare the following documents for submittal to the City for formal PUD plan review.

1. A full site plan in accordance with zoning ordinance standards.
2. A narrative report prepared by the applicant shall accompany the site plan providing the following:
 - a) A description of the project, including all proposed uses
 - b) A discussion of the business market concept and feasibility of the project,
 - c) An explanation of the manner in which the Standards for Approval have been met
 - d) A separately delineated specification of all deviations from this Ordinance which would otherwise be applicable to the uses and development proposed in the absence of the application of the PUD Article.
 - e) Hours of operation of the proposed uses.
 - f) A specific schedule of the intended development and construction details, including phasing or timing.

- g) A specific schedule of the general improvements to constitute a part of the development, including, without limitation, lighting, signage, the mechanisms designed to reduce noise, utilities, and visual screening features.
- h) A specification of the exterior building materials with respect to the structures proposed in the project.
- i) Signatures of all parties having an interest in the property at the time of submission.
- j) Identify the person or entity that will have control over the project.

(C) Preliminary PUD Site Plan: Planning Commission Review. If the City Planner determines that the submitted documents include all required information, a public hearing in compliance with Sec. 51-21.29 shall be scheduled in front of the Planning Commission. Following the hearing, the Planning Commission shall review the preliminary PUD site plan and shall take one of the following actions:

1. **Recommend Approval.** Upon finding that the preliminary PUD site plan meets the criteria and standards set forth herein, the Planning Commission shall recommend approval to City Council. Approval shall constitute approval of the uses and design concept as shown on the site plan. Recommendation of the site plan by the Planning Commission shall not bind the City Council to approve the site plan.
2. **Postponement.** Upon finding that the site plan does not meet the criteria and standards set forth herein, but could meet such criteria if revised, the Planning Commission may postpone any action on a recommendation. The applicant shall submit a revised PUD plan for additional consideration by the Planning Commission at a future meeting.
3. **Recommend Denial.** Upon finding that the preliminary PUD site plan does not meet the criteria and standards set forth herein the Planning Commission shall recommend denial to City Council.

The Planning Commission shall, to the extent it deems appropriate, submit detailed recommendations relative to the PUD project including, without limitation, recommendations with respect to matters on which the City Council shall exercise discretion.

(D) Preliminary PUD Site Plan: City Council Action. Upon receiving a recommendation from the Planning Commission, the City Council shall review the preliminary PUD site plan. Taking into consideration the recommendations of the Planning Commission and the criteria and standards set forth herein, the City Council shall approve, postpone, or deny the preliminary PUD site plan.

Prior to approval of a preliminary PUD site plan, the City Council shall require all standards and conditions of approval to be incorporated in a development agreement. The City Council may cause to have legal documents, covenants, or contracts prepared and may require the execution thereof by the applicant, which documents involve the City and are required as a result of the conditions contained in the PUD approval.

1. **Conditions of Approval.** Reasonable conditions may be required with the approval of a PUD, to the extent authorized by law, for the purpose of ensuring that public services and facilities affected by a proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity, ensuring compatibility with adjacent uses of land, and promoting the use of land in a socially and economically desirable manner.

- (E) **Final PUD Site Plan: Planning Commission Approval.** Upon approval by City Council for the preliminary PUD site plan, the applicant shall prepare a final site plan and submit the final site plan to the Planning Commission for Final Site Plan Approval. A final PUD site plan shall be a complete civil engineering set of plans that includes all demolition, soil erosion & sediment control, grading, utility connections, pavement and building foundations for the entire project. The final PUD site plan shall be reviewed by the City Engineer, Fire Department and any other city administrative staff as deemed necessary by the City Planner. The Planning Commission shall only grant final PUD site plan approval upon determining that the submitted site plan is in complete compliance with all zoning, engineering and other applicable codes and ordinances.

Sec. 51-16.05 – Standards for PUD Approval. The Planning Commission and City Council shall consider the following standards when determining whether to approve, approve with conditions or deny a proposed preliminary and Final PUD site plan:

- (A) A recognizable and material benefit to the ultimate users of the project and to the community, where such benefit would otherwise be unfeasible or unlikely to be achieved without application of the PUD regulations. This standard shall include compliance with the Recognizable Benefits of Sec. 51-16.03.
- (B) The proposed type and density of use shall not result in an unreasonable increase in the need for or burden upon public services, facilities, streets and utilities.
- (C) There shall be underground installation of utilities, including electricity and information technology/telecommunication lines, as found necessary by the City.
- (D) The proposed development shall be consistent with preservation of the public health, safety and welfare of the City.
- (E) The proposed development shall not result in an unreasonable negative economic impact upon surrounding properties.
- (F) The proposed development shall be under single ownership or control such that there is a single entity having responsibility for completing the project in conformity with this Ordinance.
- (G) The proposed development shall be consistent with the Goals and Policies of the Master Plan.
- (H) The proposed development shall be compatible with adjacent uses of land.

Sec. 51-16.06 – Procedures and Items for an approved PUD

- (A) **Commencement of Construction.** To ensure completion of required improvements, the City is authorized to impose performance guarantees in accordance with Section 51-21.30. The applicant shall obtain a building permit within one (1) year from the date of Planning Commission final PUD site plan approval. Substantial construction shall be commenced within two (2) months of building permit approval shall proceed substantially in conformance with the schedule set forth by the applicant. If construction is not substantially commenced and continues within such time, approval of the PUD shall expire and be null and void by means of a letter from the City Manager transmitted to the applicant. In the event approval of the PUD has expired, the City Council shall require a new application that shall be reviewed in light of then existing and applicable law and ordinance provisions.
- (B) **Effect of Approval.** When approved, the PUD with all conditions imposed, if any, shall constitute the land use authorization for the property, and all improvement and use shall be in conformity with such authorization. Notice of adoption of the final PUD plan and conditions including the development agreement shall be recorded by the applicant at the Oakland County Register of Deeds.

(C) Amendments. An approved PUD may be amended at the discretion of the City consistent with the procedures for original approval. Further, the Zoning Board of Appeals shall not have the authority to grant variances for the standards contained in this Chapter for any duly approved PUD, such authority being specifically reserved to the Planning Commission and City Council through the review and approval process of Sec. 51-16.04.

Statement of Commissioner Amin
City of Walled Lake Planning Commission

*Regarding the September 2, 2026 draft of Article 16, Planned Unit Development,
presented in the September 8, 2026 packet*

Mr. Chairman, before we take up the revised draft, I ask that this statement be entered into the record.

On August 11, 2026, this commission adopted Motion PC 08-02-26, moved by Chairman Schinzing and seconded by Commissioner Martin, which carried unanimously, 6 to 0. The motion was: to combine the current PUD and CPD ordinances to create a new PD ordinance, as well as updating the use modifications, keeping the quantifiable modifications and eliminating any that are too open for interpretation.

At the same meeting the commission adopted Motion PC 08-03-26, which I moved and Commissioner Bashi seconded, also carried 6 to 0: to create a pre-application process before going into the official application process.

The September 2 draft was the response to those motions. I have reviewed it against both motions and the discussion that led to them. It does not do what the commission asked. The specific points are as follows.

1. **Not combined.** The motion called for one ordinance replacing the PUD and CPD. The draft rewrites Article 16 only. Article 30, the CPD, stays in force.
2. **Unmeasurable standards throughout.** Removing standards that are too open for interpretation is the main reason for this revision. The draft is built on them. Section 51-16.02(C) allows uses “subject to adequate public health, safety, and welfare protection mechanisms.” Section 51-16.02(E) allows any modification that results in a “higher quality of development.” Section 51-16.02(F) allows more density if it “will not adversely affect” water and sewer, storm drainage, road capacity, parks, fire and police services, or the “character of the area,” with no threshold for any of them. Section 51-16.02(G) leaves phasing to what is “reasonable in the discretion of the Planning Commission.” Section 51-16.03 requires benefits that “could not be attained” under conventional zoning, including “high quality architectural design,” “extensive landscaping,” “efficient consolidation of poorly dimensioned parcels” and “a complementary mix of uses.” Section 51-16.04(A) lets the City Manager decide whether a proposal “has merit.” Section 51-16.05 asks the commission and council only to “consider” a “recognizable and material benefit,” an “unreasonable increase” in services, consistency with “preservation of the public health, safety and welfare,” an “unreasonable negative economic impact,” and whether the project is “compatible with adjacent uses.” Section 51-16.06(A) requires “substantial construction” without defining it. Section 51-16.06(C) allows amendments “at the discretion of the City” without naming a body. None of these can be measured, and together

they leave every decision to judgment.

3. **Open-ended changes added.** Draft Section 51-16.02(E) lets council change floor area, setbacks, height, density, parking and landscaping with no limit, says the list is “not limited to” those items, and uses a “higher quality of development” test that cannot be measured. The motion said to remove this kind of language, not add it.
4. **No 10 percent cap.** We discussed capping council’s modification authority at 10 percent. The draft has no percentage cap on any modification except density, which it sets at 150 percent.
5. **Density can be manipulated.** Draft Section 51-16.02(F) measures density against the RM-2 district for every parcel, regardless of its actual zoning, and allows 150 percent of that figure. That is about 17 units per acre on RM-1 land zoned for 8.7, and on commercial land that allows no housing at all.
6. **Uses not tied to zoning.** We said a PUD stops if the use is not already allowed by the zoning and the master plan. Draft Section 51-16.02(C) lists six uses for every PUD district, which puts apartments in C-1 and C-2, where multiple-family dwellings are not permitted today, and retail, restaurants and theaters in RM-1. Draft Section 51-16.05(G) checks only “goals and policies,” not the parcel’s future land use designation.
7. **Parking made changeable.** The city attorney told us on August 11 that parking cannot be modified under the current ordinance, Section 51-16.03(7). Draft Section 51-16.02(E) makes parking modifiable for the whole project, and nothing in the draft ties a density increase to parking for the added units.
8. **ZBA removed, council given variance power.** We said anything beyond the PUD’s own limits should go to the Zoning Board of Appeals for a hardship variance. Draft Section 51-16.06(C) bars the ZBA and instead gives variance authority to the Planning Commission and City Council, with no limit.
9. **Pre-application step is weak.** Draft Section 51-16.04(A) creates the step we asked for in Motion PC 08-03-26, but it lets the City Manager alone decide, applying only the unmeasurable standards of Section 51-16.05, with no deadline and no appeal. It also requires a parallel plan that the draft never uses anywhere.
10. **Agreement bypasses the commission.** Draft Section 51-16.04(D) sends the development agreement to council only, with no required contents and no review by this commission, which the planner himself asked for on August 11.
11. **New contradictions.** Section 51-16.02(E) says the commission approves changes, while Section 51-16.04(C) says it only recommends. Section 51-16.04(E) requires full zoning compliance from a plan that was approved to deviate from zoning. Section 51-16.04(D) leaves out “approve with conditions,” while Section 51-16.04(D)(1) and Section 51-16.05 assume it. Section 51-16.04(A)(5) cites the wrong subsection.

12. **No measurable benefits.** None of the seven benefits in draft Section 51-16.03 has a unit of measure, and the studies that would supply numbers are optional. The two measurable benefits in the current code, open space above the required amount in Section 51-16.03(3)d.1 and a public improvement that could not otherwise be required in Section 51-30.03(9)(a), were dropped.

The planner's memo of September 2 states that the text was written "more generic to allow the planning commission the ability to make their own determinations." That is the opposite of what Motion PC 08-02-26 directed.

For these reasons I do not consider the September 2 draft responsive to the commission's motions. I am submitting a revised draft tonight, prepared to carry out those motions as adopted, and I ask that the commission take it up on that basis.

Thank you.

Commissioner Amin
City of Walled Lake Planning Commission



Memorandum

TO: Walled Lake Planning Commission

FROM: Mario A. Ortega, AICP

SUBJECT: **Zoning Ordinance Amendment – Commercial Building Design Standards for Council and Public Review**

DATE: October 7, 2026

Based on discussion at previous Planning Commission meetings, attached are draft proposed standards to regulate the architectural design of commercial buildings. During the meetings no edits or changes have been requested therefore the attached proposed language is exactly as reviewed by the commission members. At the appropriate time you may forward this to City Council to begin the public review and ordinance adoption process.

Please contact me with any questions.

DRAFT ZONING ORDINANCE AMENDMENT LANGUAGE

~~Text proposed for removal is in red strikethrough.~~

Proposed text is in standard black font.

Sec. 51-21.11. - ~~Reserved for future use~~ Commercial Building Design Standards.

- (a) **Purpose and Intent.** The purpose of the commercial building design standards is to develop compatibility and continuity among buildings in the community and to provide minimum design standards intended to enhance the appearance of the community. The architectural design elements, the relationship between those elements, the façade materials and other building and site components have a strong influence on the character and appearance of the city. Building designs that meet minimum quality standards contribute to the attractiveness and economic well-being and public welfare of a community, making it a better place to live and work.
- (b) **Projects subject to commercial building design standards.** All site plans for the construction of any new buildings and structures and all alterations, renovations, additions or modifications that include exterior changes to existing buildings in the zoning districts identified below shall meet the following minimum appearance standards. All new construction requiring a Building Permit, including additions to existing structures and any renovations visible from the exterior of the building or structure, shall be subject to commercial building design standards. The director of planning and development, or their designee, shall determine whether a proposed scope of work qualifies as an alteration, renovation, addition or modifications that shall require compliance with these commercial building design standards. The zoning districts in which these standards are applicable include:
- (1) C-1 Neighborhood Commercial District
 - (2) C-2 General Commercial District
 - (3) C-3 Central Business District
 - (4) O-1 Office District
- (c) **Architectural Standards**
- (1) *Required Architectural Elements.* Decorative and functional architectural features, details and ornamentation including but not limited to. arches, colonnades, columns, pilasters, detailed trim, brick bands, contrasting courses of material, cornices or porches, shall be incorporated into all building facades at a scale appropriate to the size and bulk of the building, as determined by the Planning Commission for site plan review and the development director for administrative site plan review.
- a. *Front, side and rear façade.* All front building façades shall comply with the commercial building design standards of this section. Any side or rear facades that meets the following criteria shall also comply with the standards of this section.
1. Visible from a public road
 2. Adjacent to a residentially zoned or occupied property
 3. Adjacent to a vehicle access route, parking lot access aisle or vehicle parking area
- All front, side or rear facades that meet the criteria above shall include windows, building materials, and architectural features similar to those present on the front facade of the building. All sides of a building shall be complementary to each other in design, details, and materials.
- b. *Façade variation.* Building façade walls exceeding 100 feet in length shall be subdivided into bays, through the location and arrangement of architectural features and design

variations, to provide a changing and varying facade appearance. Such features and design elements may include, but are not limited to, the following:

1. Projections, bays or recesses, not exceeding ten (10) feet in depth.
2. Enhanced ornamentation and architectural detailing.
3. Variations in building height or window patterns.
4. Distinctively shaped roof forms, detailed parapets, and cornice lines.

- (2) **Public Entrances.** All commercial buildings and uses shall have a public entrance facing the street. Secondary public entrances at the rear or the side of the building shall be clearly defined as a public entrance with a canopy or other design feature. Public entrances shall be emphasized with framing devices, such as, peaked roofs, forms, porches, overhangs, archways, larger door openings, display windows, accent colors, tile, moldings, pedestrian-scale lighting, and similar devices
- (3) **Windows:** Building facades facing the public right-of-way shall consist of at least 20 percent window area. The bottom sill of the windows on the front facade shall be located no higher than four (4) feet above grade. No more than 25 percent of the window area shall be covered with signage or other obscuring elements. When a building is located on a corner, this standard shall apply to both facades facing the rights-of-way, unless one of the rights-of-way faces a residential use.
- (4) **Awnings and Canopies:** Back-lit and internally illuminated awnings shall be prohibited. Awnings shall articulate each window or wall opening.
- (5) **Roof-Mounted Equipment:** All roof-mounted equipment, including but not limited to air conditioning units, heating apparatus, dust collectors, transformers, satellite dishes and antennae, and other communication and mechanical equipment, other than chimneys, flagpoles, and solar energy systems, shall be screened by one of the following architectural elements:
 - a. A parapet wall extending above the roof as tall as the tallest part of the equipment.
 - b. A screen around the equipment that is as tall as the tallest part of the equipment. The screen shall be constructed to be compatible with the building design.

(d) Building Material Standards.

- (1) **General Material Standards.**
 - a. **Engineered Materials.** Engineered equivalent materials are permitted as the original material is permitted in each district. Engineered materials must match the appearance of natural binding materials.
 - b. **Painted Building Materials.** Existing exterior masonry may not be painted or stained unless approved by the Planning Commission. Preference will be given to existing building materials that are already painted or stained and when the applicant proposes to stain, not paint, the façade.
 - c. **Building Colors.** Exterior finish materials and colors must be consistent or compatible with the character of the surrounding district. Accent colors are permitted to activate the street front and exercise artistic placemaking; this standard is to not be interpreted as prohibiting the incorporation of public art, such as a mural, to buildings or sites.
 - d. **Waivers.** The Planning Commission may modify the material standards, based on determination that the proposed materials or colors are high-quality and compatible with the architecture and style of the primary building and context.
- (2) **Permitted Building Materials.** The table below details the permitted exterior building materials allowed on each façade that faces a public street or right of way in each zoning district, whether it is a principal material or an accent material.
 - a. **Principal Material (P):** Primary building materials must constitute at least 75% of the total façade on each building elevation.

- b. Accent Material (A): Accent building materials, altogether, must not constitute more than 25% of the total façade, on each building elevation.

Exterior Building Materials	C-1	C-2	C-3	O-1
Brick (including face brick but not thin-brick veneer)	P	P	P	P
Cut stone, ceramic cladding, cast stone, natural stone, or manufactured stone	P	P	P	P
Wood, including cross laminated timber, dimension lumber, and reclaimed wood	A	A	A	P
Burnished and textured concrete masonry units (CMU)	A	A	A	P
Standard concrete masonry units (CMU)				
Fiber cement siding	P	P		P
Fiber cement panels	A	A		P
Precast concrete panels				
Stone composite panels	A	A	A	A
Closed cavity façade (e.g., glass curtain wall system)	P	P		P
Clear or lightly tinted glass	P	P	P	P
Metal wall panel (including steel)				P
Vinyl siding				P
Exterior Insulation and Finishing System (EIFS) / Artificial Stucco	A	A		A