



**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: Bashi, 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.

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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.

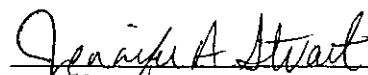
City Manager Whitt said City Council instructed the master plan to be reviewed and updated. He asked if the commission members were ok to work off the internet file. Does the commission want a hard copy, we will have some made. City Planner will review. City Attorney will review.

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