



## **AGENDA**

### **REGULAR MEETING OF THE PLANNING COMMISSION**

**Monday, March 02, 2026**

**6:30 PM**

**Village Hall – 21 East Church Street, Lake Orion, MI 48362**

**(248) 693-8391 ext. 102**

#### **REQUIREMENTS FOR PUBLIC COMMENT:**

Anyone that would like to make a public comment at any point during the meeting must first sign the "Sign In" sheet located near the main entrance door.

Prior to making any comment a member of the audience MUST first state your name and address for the record.

**1. Call to Order**

**2. Pledge of Allegiance**

**3. Roll Call and Determination of Quorum**

**4. Approval of Agenda**

**5. Approval of Minutes**

**A.** Approval of February 2, 2026, Planning Commission Regular Meeting Minutes

**6. Public Comments on Non-Agenda Items Only**

**7. Public Hearing**

**8. Old Business**

**9. New Business**

**A.** Lumber Yard at Paint Creek Planned Unit Development Eligibility

**B.** Monthly Planning and Zoning Report – February 2026

**10. Commissioners' Comments Regarding Planning and Zoning Matters**

## **11. Next Regular Meeting - April 6, 2026**

## **12. Adjournment**

*In the spirit of compliance with the Americans with Disabilities Act, individuals with a disability should feel free to contact the Village, at least three (3) business days in advance of the meeting, if requesting accommodations. The Village of Lake Orion will provide foreign language or hearing impaired interpretation services for those individuals who contact the village to request such services at least seven (7) days prior to the meeting.*

*En el espíritu de la observancia de la Ley de Estadounidenses con Discapacidades, las personas con discapacidad debe sentirse libre para ponerse en contacto con el pueblo, por lo menos tres (3) días hábiles de antelación a la fecha de la reunión, si se solicitan alojamiento. El municipio de Lake Orion proporcionará idioma extranjero o personas con problemas de audición servicios de interpretación para las personas que se ponen en contacto con el pueblo de solicitar dichos servicios con no menos de siete (7) días antes de la reunión.*



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## BOARD ACTION SUMMARY SHEET

**MEETING DATE:** March 2, 2026

**TOPIC:** Approval of February 2, 2026, Planning Commission Regular Meeting Minutes

**RECOMMENDED MOTION:** To approve the February 2, 2026, Planning Commission Regular Meeting Minutes, as presented.



## MINUTES

### REGULAR MEETING OF THE PLANNING COMMISSION

Monday, February 02, 2026

6:30 PM

Village Hall – 21 East Church Street, Lake Orion, MI 48362

(248) 693-8391 ext. 102

**1. Call to Order**

The Monday, February 2, 2026 Regular Meeting of the Lake Orion Planning Commission was called to order by Vice Chairperson Edward Sabol at 6:30 p.m.

**2. Pledge of Allegiance**

**3. Roll Call and Determination of Quorum**

PRESENT

Vice Chairperson Edward Sabol

Secretary Henry Lorant

Commissioner Teresa Rutt

Commissioner Larry Dunn

Commissioner James Barry (arrived at 6:32 p.m.)

Commissioner Michael Lamb

Commissioner Matthew Craig

Commissioner/Administrative Official Darwin McClary

ABSENT

Chairperson James Zsenyuk

STAFF PRESENT

Planning and Zoning Coordinator Jake VanBoxel

Recording Secretary Danielle Smith

**4. Approval of Agenda**

Commissioner Lorant moved, Commissioner McClary seconded, to approve the agenda for the February 2, 2026 Planning Commission Regular Meeting.

**AYES:** Rutt, Lorant, McClary, Dunn, Sabol, Lamb, Craig

**NAYS:** None

**ABSENT:** Zsenyuk, Barry

**MOTION:** Carried

**5. Approval of Minutes**

**A. Approval of December 1, 2025 Planning Commission Regular Meeting Minutes**

Commissioner Lamb moved, Commissioner Lorant seconded, to approve the December 1, 2025 Planning Commission Regular Meeting Minutes, as presented.

**AYES:** Rutt, Lorant, McClary, Dunn, Sabol, Lamb, Craig

**NAYS:** None

**ABSENT:** Zsenyuk, Barry

**MOTION:** Carried

**6. Public Comments on Non-Agenda Items Only**

None.

**7. Public Hearing**

None.

**8. Old Business**

None.

**9. New Business**

*Commissioner Barry arrived at 6:32 p.m.*

**A. Monthly Planning and Zoning Report – December 2025 and January 2026**

Commissioner Rutt moved, Commissioner Lorant seconded, to receive and file the December 2025 and January 2026 monthly planning and zoning reports.

**AYES:** Rutt, Lorant, McClary, Dunn, Barry, Sabol, Lamb, Craig

**NAYS:** None

**ABSENT:** Zsenyuk

**MOTION:** Carried

**B. Zoning Ordinance Amendment**

Sections 13.11 and 13.17 of the zoning ordinance regulate the placement, size, use and storage of accessory buildings and certain vehicles or recreational equipment on residential and non-residential properties. Questions regarding interpretation, enforcement consistency and alignment with current property use trends and community expectations have been identified as follows:

- Overlap or ambiguity between accessory structure regulations and storage provisions
- Definitions and dimensional standards for accessory buildings
- Allowable locations and duration of storage for recreational vehicles and similar items
- Enforcement challenges due to unclear or outdated language

These issues have prompted a review of the ordinance sections to determine whether amendments are warranted to improve clarity, usability and consistency with the Village's planning goals.

Planner VanBoxel gave an overview of the proposed text amendments and was available to answer any questions of the Commission.

**MOTION:** Commissioner McClary moved, Commissioner Lamb seconded to request administration to cause the Village attorney to prepare the proposed zoning ordinance text amendments to Section 13.11 and 13.17 regarding outdoor storage of recreational vehicles, boats, trailers and similar items for public hearing before the Planning Commission on March 2, 2026 and to request the Village clerk to publish and mail the required notices pursuant to Section 19.05c of the zoning ordinance.

Commissioner Barry asked for clarification regarding storing items on vacant lots that are not a primary residence, but are owned by the same individual and further asked if a structure has been on a vacant lot for decades, would that be grandfathered in. Regarding storing items on vacant lots, Planner VanBoxel stated that items would not be allowed to be stored on vacant lots that are not a primary residence. He further shared that prior non-conforming uses would not change, but accessory dwelling units are not allowed.

Planner VanBoxel further clarified that accessory use structures cannot be the principal land use of the parcels.

Commissioner McClary shared that the Village has received complaints regarding individuals storing recreational vehicles on empty lots that are not a person's primary residence. After reviewing the ordinance, it was determined that text amendments need to be made to provide clarity.

Commissioner Sabol asked if the proposed text amendments would apply to RV's as well. Commissioner McClary stated that the text amendments would apply to all residential properties within the Village. Commissioner McClary further stated that if the proposed text amendments are adopted, individuals would no longer be able to use vacant lots to store recreational vehicles unless they have a principal structure on the property.

**AYES:** Rutt, Lorant, McClary, Dunn, Barry, Sabol, Lamb, Craig

**NAYS:** None

**ABSENT:** Zsenyuk

**MOTION:** Carried

**10. Commissioners' Comments Regarding Planning and Zoning Matters**

Commissioner Lorant asked for clarification regarding the document the commissioners received prior to the meeting. Planner VanBoxel stated that the document was an application from the Lake Orion Downtown Development Authority (DDA) that did not make it into the monthly planning and zoning report.

Commissioner Lamb said he believes that the application from the DDA for the Lumber Yard at Paint Creek project is not accurate and is being misrepresented. He further shared that he believes several buildings on the property are structurally deficient and does not think the project is sustainable or will generate sufficient revenue to maintain a site of this nature. Commissioner Lamb summarized that he is not ready to support or approve the project at this time.

Commissioner McClary stated that he appreciates Commissioner Lamb's comments regarding the Lumber Yard at Paint Creek project and is confident that the appropriate information will be reviewed and that the Commissioners can discuss the details of the project at the appropriate time. Further, he reminded the Commission that they have a responsibility to give a fair review of proposals that come before them regardless of who the applicant is.

Commissioner Barry stated that the role of the Planning Commission is to look at the plan that is being presented, not the financials associated with the project.

Commissioner McClary reiterated that the Planning Commission has certain statutory duties while the Village Council has other responsibilities that include reviewing the DDA's budget. He also shared that Village Council has already approved the Lumber Yard at Paint Creek project and that bonds have been issued. Lastly, he reminded the Commission that they will have the responsibility to approve the final plans for the project while Village Council has continued authority over budgetary concerns.

Commissioner Rutt echoed Commissioner Barry's sentiments and welcomed Commissioner Craig to the board.

Commissioner McClary summarized that the Planning Commission has the right to ask any questions of an applicant, but when deciding on an application, decisions must be based on what the Commission has the authority to look at.

**14. Next Regular Meeting – March 2, 2026**

**15. Adjournment**

Commissioner Lamb moved, Commissioner McClary seconded, to adjourn the meeting at 7:03 p.m.

**AYES:** Rutt, Lorant, McClary, Dunn, Barry, Sabol, Lamb, Craig

**NAYS:** None

**ABSENT:** Zsenyuk

**MOTION:** Carried

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Henry Lorant  
Secretary

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Sonja Stout  
Clerk/Treasurer

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Danielle Smith  
Recording Secretary

Date Approved: March 2, 2026



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## BOARD ACTION SUMMARY SHEET

**MEETING DATE:** March 2, 2026

**TOPIC:** Lumber Yard at Paint Creek Planned Unit Development Eligibility

### BACKGROUND BRIEF:

The proposed Lumber Yard at Paint Creek project is located at 215 South Broadway within the Village of Lake Orion. The applicant is requesting a determination of eligibility to pursue development under the Planned Unit Development (PUD) provisions of the Village Zoning Ordinance.

The property, historically used as a lumber yard, is located adjacent to Paint Creek and presents unique site characteristics, including proximity to the waterway, potential environmental constraints, and redevelopment of a former industrial site. These conditions may limit conventional development and may justify flexibility through the PUD process.

The purpose of the PUD option is to encourage coordinated site design, preservation of natural features, and enhanced public benefits that may not otherwise be achieved under standard zoning requirements.

If deemed eligible, the applicant would return with a formal PUD plan for detailed review. A determination of eligibility does not constitute project approval.

### RECOMMENDED ACTION:

That the Planning Commission recommend approval of PUD Eligibility for the property located at 215 S. Broadway to the Village Council, based on the information submitted, and that this recommendation provide direction to the applicant in anticipation of a full PUD Preliminary Plan submittal, with the understanding that all required approvals must be obtained, including but not limited to those from the Village Engineer, the Department of Public Works, the Township Fire Department, the Township Building Department, and any other applicable local or state agencies as required during the PUD process.

**MCKENNA**

February 26, 2026

Planning Commission  
Village of Lake Orion  
21 E. Church Street  
Lake Orion, Michigan 48362

**Subject:** Lumber Yard at Paint Creek – 215 S Broadway

Dear Commission Members,

We have reviewed the above Planned Unit Development (PUD) request for an amendment to an existing development of the historic Lumber Yard at Paint Creek property located at 215 South Broadway Street, as submitted by Matthew Gibb on behalf of the Lake Orion Downtown Development Authority (DDA). The applicant proposes to redevelop four parcels consisting of the existing lumber yard site into a multi-use site that includes an event barn, market pavilion, trailhead canopy structure, and commercial and office buildings.

**PROPOSED DEVELOPMENT OVERVIEW:**

The site is composed of four parcels, totaling 4.2 acres. The existing zoning district of the site is Mixed-Use – MU. The redevelopment is envisioned as a community landmark and a gateway to downtown Lake Orion. Through adaptive reuse of historic structures and coordinated site planning, the project integrates a farmers market pavilion, public event barn, vendor kiosks, trailhead amenities, public gathering spaces, and limited supporting downtown uses.

**PUD ELIGIBILITY PROCESS SUMMARY**

The first formal step in the PUD process is for the Planning Commission to review the application and concept plan to determine eligibility. After consideration, the Planning Commission shall make a recommendation to the Village Council on whether the proposed development satisfies the eligibility criteria in Section 11.02 of the Zoning Ordinance.

Per Section 11.02, the PUD must meet the following five (5) eligibility criteria:

1. **Contiguous:** All land included in a PUD shall be contiguous.
2. **Benefits:** The PUD shall provide at least three (3) of the recognizable and substantial benefits below that would not be possible using the standards of the underlying zoning district or this Ordinance: Feature Preservation, Mixed-Use, Open Space/Recreation, Mitigation, and Redevelopment
3. **Impact.** In relation to the underlying zoning, 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 and/or surrounding land and/or property owners and occupants and/or the natural environment.
4. **Master Plan.** The proposed development shall be consistent with the goals and objectives of the Master Plan of the Village and shall be consistent with the intent and spirit of this Ordinance.

**HEADQUARTERS**  
235 East Main Street  
Suite 105  
Northville, Michigan 48167

☎ 248.596.0920  
☎ 248.596.0930  
**MCKA.COM**

**Communities for real life.**

5. Unified Control. The proposed development shall be under single ownership and/or control such that there is a single person or entity having responsibility for completing the project in conformity with this Ordinance.

Should PUD Eligibility be granted by the Village Council, Preliminary PUD Plan consideration and a Public Hearing would then be held by the Planning Commission at a future meeting.

## RECOMMENDATION

Based on the information submitted, it is recommended that the Planning Commission recommend PUD Eligibility approval for the 215 S Broadway to the Village Council. Further, this is an opportunity for the Planning Commission to provide direction to the applicant in anticipation of a full PUD Preliminary Plan submittal.

Please note, as a PUD, approval by the Village Engineer, the Department of Public Works, the Township Fire Department, the Township Building Department, and any other applicable local or state agencies must be satisfied upon completion of the process.

## PUD ELIGIBILITY REVIEW

The PUD is an optional method of development that may be permitted in any location and zoning district in the Village, only after review and recommendation by the Planning Commission and discretionary approval of the Village Council finding that the following criteria will be met:

- A. Contiguous: All land included in a PUD shall be contiguous. Land shall be considered contiguous when separated by a public or private street/alleyway, or public land.**

### Findings:

All land on the site is contiguous. The property is located on the corner of S Broadway St/M-24 and Atwater St. The site consists of four parcels: 09-11-228-020, 09-11-228-019, 09-11-228-016, 09-11-228-004.

No part of the site is to be separated by a public or private street.

- B. Benefits: The PUD shall provide at least three (3) of the recognizable and substantial benefits below that would not be possible using the standards of the underlying zoning district or this Ordinance:**
1. **Feature Preservation: Preservation of significant natural or historic features, including protected wetlands, woodlands, trees, and scenic vistas.**
  2. **Mixed-Use: A complementary mixture of zoning uses or a variety of housing types.**
  3. **Open Space/Recreation: Useable and well-defined common open space for passive or active recreational use. Noncontiguous open space is permitted but in no case shall the project open space be less than ten (10%) percent of the total site area. Such open space shall include amenities, including but not limited to gardens, dining/gathering areas, trails/pathways, art installations, playgrounds, among others**
  4. **Mitigation. Interventions that minimizes the negative impacts of development, including but not limited to green infrastructure as provided in Section 6.03(F).**

**5. Redevelopment. The PUD involves adaptive re-use or redevelopment of a building or site through which creative design addresses unique site limitations.**

Findings:

We have determined that the proposed PUD meets the following benefits:

1. Feature preservation
  - a. The site adopts historical preservation of many aspects of this site in Lake Orion. The historic main barn on the site is proposed to be restored and adaptively reused as a flexible public market and event space. The former lumber rack structure on the East side the Main Barn is proposed to be repurposed as an open-air market pavilion. A repurposed supply house canopy is also to be used on the site. historic office building is proposed for white-box renovation to support small-scale commercial uses such as a bakery or complementary retail.
2. Open Space/Recreation
  - a. The site holds a planned purpose of becoming a place of community gathering for the residents of Lake Orion. There is to be an event barn, as well as open space for open air markets, events, fairs, etc. A landscape/greenbelt area is to cover approximately 49% of the site.
3. Redevelopment
  - a. The site is an adaptive reuse of the historic lumber yard, as stated above. We believe the repurposing of this site will prove a beneficial addition to the Village of Lake Orion.

Due to the proposed PUD providing three of the requirements of at least three out of five criteria, this site provides a recognizable and substantial benefit that would not be possible using the standards of the underlying zoning district or this Ordinance, therefore making it compliant with this eligibility requirement.

**C. Impact. In relation to the underlying zoning, 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 and/or surrounding land and/or property owners and occupants and/or the natural environment.**

Findings:

We do not anticipate unreasonable burden among public services, facilities, utilities, or the land and surrounding property owners in the event this PUD actualizes.

The applicant should work with both the Village of Lake Orion and Orion Township necessary entities, including Engineers, DPW, Building, Fire Department, and Police Department to ensure compatibility of this site with its location and usage of the land.

The adjacent parcels to the site are as follows: North: DC, South: PUD, East: RM, West: MU. The impact on the multi-family development next to the site is anticipated as low, in exception of construction. The applicant should provide sufficient screening when landscaping is discussed in the site plan review process.

The applicant has indicated a traffic impact assessment is underway in collaboration with Fishbeck and MDOT. The issue of traffic should be accounted for when determining site plan approval, in the future.

**D. Master Plan. The proposed development shall be consistent with the goals and objectives of the Master Plan of the Village and shall be consistent with the intent and spirit of this Ordinance.**

Findings:

After reviewing this proposed development in consideration of the Lake Orion Master Plan 2025 Amendment, we can determine that the following goals and objectives of the master plan can be accomplished with the approval of this PUD:

1. Revitalize the Village's Historic Character because of the objectives.
  - a. Promote the restoration, reuse, and renovation of historic buildings.
  - b. Establish a historic district for the DDA and historic neighborhoods.
  - c. Obtain official designation of historic buildings and sites.
2. Encourage high-quality design.
  - a. Develop a unified streetscape plan for the M-24 corridor respects the realities of small town sites, including setbacks, building height, massing, scale, and detail.
3. Encourage local businesses to come to the Village.
  - a. Promote and encourage the downtown as the preferred location for future retail, office, restaurant, and entertainment development and as a key element to the community's small town character.
  - b. Create a business recruitment program and continue to develop marketing materials.
4. Maximize the potential of the land and future businesses by ensuring uses are properly placed and brochures.
  - a. Concentrate general commercial uses on the M-24 thoroughfare for maximum access to the trade area population.
5. Ensure high-quality infrastructure that promotes and improves quality of life in commercial areas.
  - a. Promote adequate off-street parking for commercial uses, including joint-use parking and additional off-street parking uses in the downtown.
6. Introduce economic vitality projects.
  - a. Create, design, and establish a seasonal or yearly farmers market venue with the potential for year-round activity space for the entire community.
  - b. Purchase key parcels that play a vital role in redevelopment.
7. Improve the overall design and function of the Village through public space.
8. Provide adequate park and recreation opportunities for all village residents and visitors.
9. Develop an efficient parking system that increases public safety, efficiency, and convenience.

**E. Unified Control. The proposed development shall be under single ownership and/or control such that there is a single person or entity having responsibility for completing the project in conformity with this Ordinance. This provision shall prohibit a transfer of ownership and/or control until project completion and upon a 90-day A notice to the Village Manager.**

Findings:

This planned unit development is proposed under the ownership and control of the Lake Orion DDA, as submitted by Matthew Gibb, Executive Director.

We are happy to discuss further; please do not hesitate to contact us with any questions.

Thank you.

Respectfully submitted,

**MCKENNA**



Jake VanBoxel, MSA  
Principal Planner



Sommer Nafal, NCI  
Assistant Planner

CC: Village Clerk: Ms. Sonja Stout, 21 E. Church Street, Lake Orion, MI 48362 (stouts@lakeorion.org)



118 N. Broadway, Lake Orion, MI 48362  
Phone: 248-693-9742 Fax: 248-693-9749  
www.downtownlakeorion.org

Matthew Gibb, Executive Director

January 15, 2026

Village of Lake Orion  
PLANNING COMMISSION  
21 E. Church Street  
Lake Orion, Michigan 48362

**Re:** Application for Planned Unit Development (PUD) Review  
Lumber Yard at Paint Creek – 215 S. Broadway Street

Dear Members of the Planning Commission,

On behalf of the Lake Orion Downtown Development Authority, this letter accompanies the submission of an application for Planned Unit Development (PUD) review for the redevelopment of the historic Lumber Yard at Paint Creek property located at 215 South Broadway Street. This application is submitted pursuant to the Village of Lake Orion Zoning Ordinance provisions authorizing Planned Unit Developments, including those provisions that permit preliminary PUD review, concept plan review, and phased or incremental approvals in advance of final site plan, construction drawings, or engineered plans. At this time, the Applicant seeks review and consideration of the project at the preliminary level expressly contemplated by the ordinance.

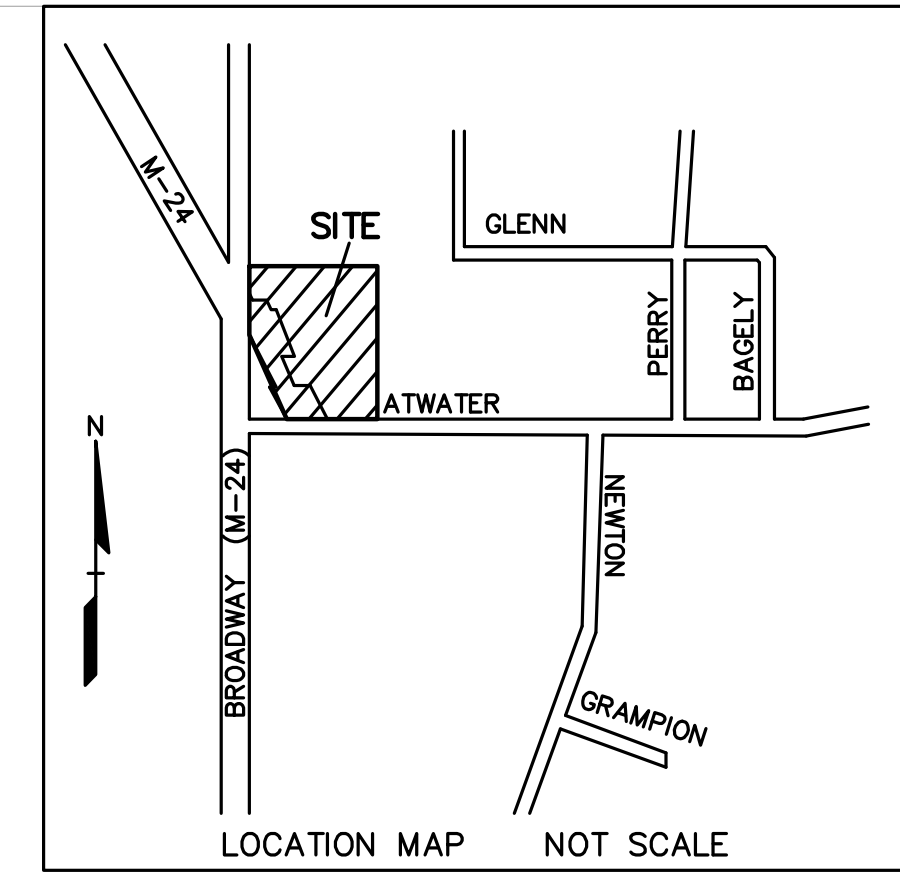
The purpose of this submission is to obtain all reviews, findings, determinations, and approvals that may lawfully be granted at this stage of the PUD process, including confirmation of land use eligibility, general site organization, building placement concepts, circulation, open space framework, historic preservation approach, and the overall suitability of the project to proceed under the PUD framework. Final site layout, engineering, utilities, stormwater, and code-compliant construction details will be submitted in subsequent phases, following Planning Commission guidance and direction.

The Lumber Yard at Paint Creek redevelopment is envisioned as a community landmark and a gateway to downtown Lake Orion. Through adaptive reuse of historic structures and coordinated site planning, the project integrates a farmers market pavilion, public event barn, vendor kiosks, trailhead amenities, public gathering spaces, and limited supporting downtown uses. The proposed PUD approach allows the Village and the Applicant to collaboratively refine this vision while ensuring consistency with preservation objectives, and the intent of the zoning ordinance.

Enclosed materials include a preliminary concept plan, renderings, and a narrative sufficient to support the requested level of PUD review. The Applicant respectfully requests that the Planning Commission review the application within the scope authorized by the ordinance and provide feedback, findings, and approvals as appropriate, without prejudice to future detailed submissions.

Respectfully submitted,

**Matthew Gibb**  
cc: Lake Orion DDA Board



**CAUTION!!**  
THE LOCATIONS AND ELEVATIONS OF EXISTING UNDERGROUND UTILITIES SHOWN ON THIS DRAWING ARE ONLY APPROXIMATE. NO GUARANTEE IS GIVEN EXPRESSLY OR IMPLIED AS TO THE COMPLETENESS OR ACCURACY THEREOF. THE CONTRACTOR SHALL BE EXCLUSIVELY RESPONSIBLE FOR DETERMINING THE EXACT UTILITY LOCATIONS AND ELEVATIONS PRIOR TO THE START OF CONSTRUCTION.

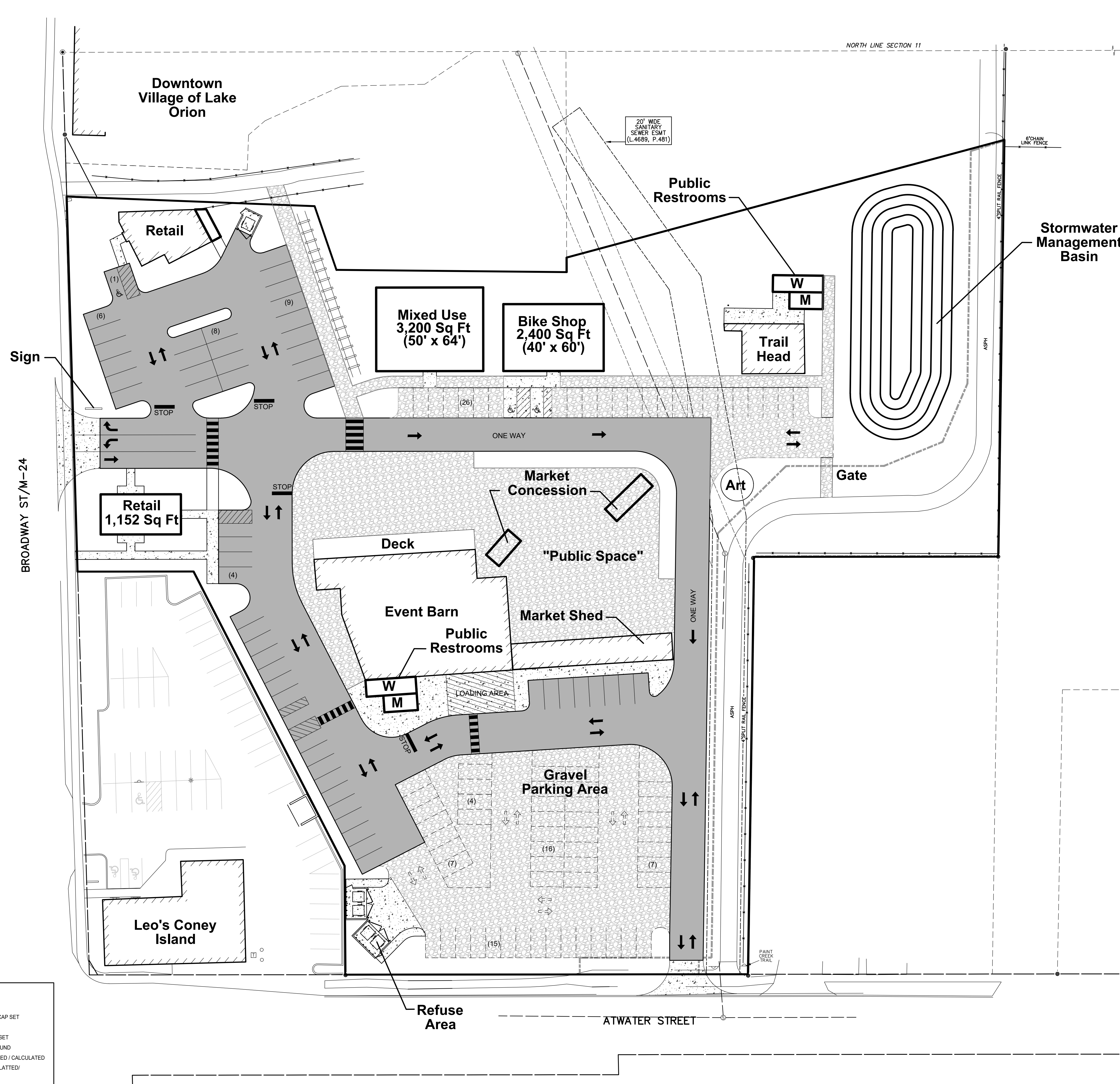
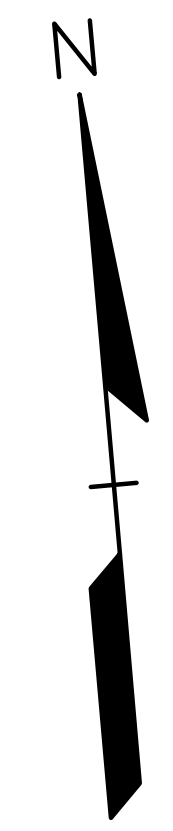


PROJECT TITLE  
**LAKE ORION LUMBER**  
215 SOUTH BROADWAY  
LAKE ORION, MI

REVISIONS	

ORIGINAL ISSUE DATE:  
JANUARY 05, 2026  
DRAWING TITLE  
**CONCEPT PLAN**

PEA JOB NO.	20-0164
P.M.	JPB
DN.	JPB
SUR.	JPB
DRAWING NUMBER:	C-6.0



**LEGEND:**

●	IRON FOUND / SET
⦿	NAIL FOUND / NAIL & CAP SET
⊗	BRASS PLUG SET
⊙	MONUMENT FOUND / SET
⊚	SECTION CORNER FOUND
R M C	RECORDED / MEASURED / CALCULATED
TAX P TC	TAX DESCRIPTION / PLATTED / TITLE COMMITMENT

S:\PROJECTS\2020\2020-0164 LAKE ORION LUMBER-PERFORMING CONCEPTUAL\20260164 SKETCH PLAN REV.dwg

# PRELIMINARY PLANNED UNIT DEVELOPMENT (PUD) ELIGIBILITY & CONCEPTUAL REVIEW NARRATIVE

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**Project:** Lumber Yard at Paint Creek

**Address:** 215 South Broadway Street, Village of Lake Orion, Michigan

**Application Type:** Preliminary Planned Unit Development (PUD) Eligibility & Conceptual Review

**Submitted By:**  
Lake Orion Downtown Development Authority  
118 N. Broadway St. Lake Orion MI 48362

Contact: Matthew Gibb, Executive Director (248) 464-0307; gibb@downtownlakeorion.org

**Submitted To:**  
Village of Lake Orion Planning Commission

**Date of Submission:** January 23, 2026

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## Purpose of Preliminary PUD Eligibility Review

The purpose of this submission is to establish eligibility for use of the Planned Unit Development (PUD) zoning mechanism and to obtain conceptual approval of the proposed redevelopment framework for the Lumber Yard at Paint Creek prior to preparation and submission of final site plan drawings, engineered plans, or construction documents.

This Preliminary PUD Narrative is intended to confirm that the proposed redevelopment qualifies for PUD consideration under the Village of Lake Orion Zoning Ordinance, that the requested flexibility is appropriate given the site’s historic constraints and public benefit objectives, and that the overall development concept is consistent with the Village Master Plan, Downtown Development Authority goals, and adopted planning policies.

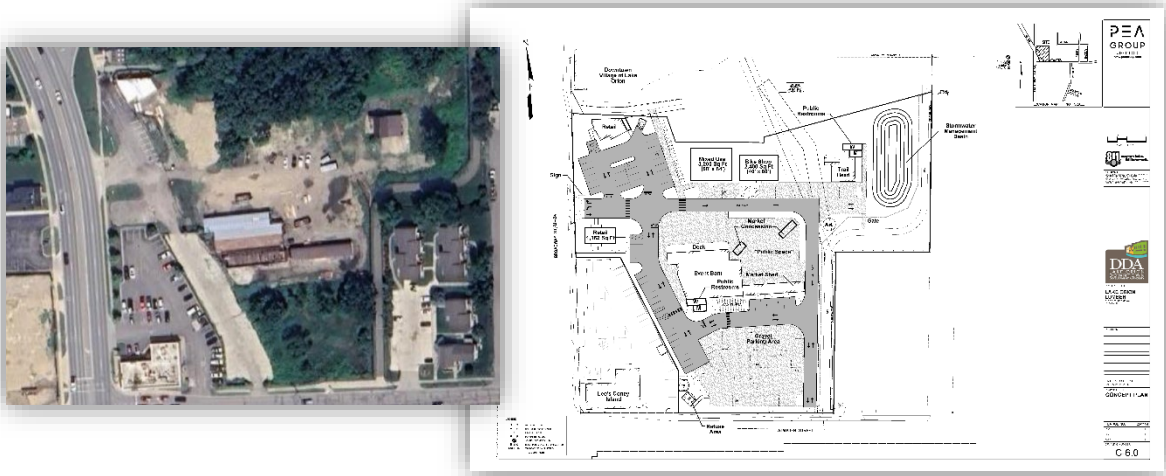
No final site plan approval, engineering approval, or authorization for construction is requested as part of this application. Detailed site layout, grading, utilities, building design, and code compliance will be addressed during subsequent Final PUD and Site Plan review phases.

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## I. Project Overview

The Lumber Yard at Paint Creek reimagines one of Lake Orion’s most significant historic industrial properties as a multi-functional public marketplace, cultural venue, trailhead destination, and extension of downtown retail and civic activity. The project emphasizes preservation-based redevelopment, adaptive reuse, and creation of substantial public amenities while reinforcing the historic character and spatial organization of the former lumber yard.

The redevelopment is centered on the restoration and activation of four primary historic structures and their surrounding grounds, transforming an underutilized site into a community-focused destination serving residents, visitors, and regional trail users.



## Key Components (Conceptual)

### Event Barn (Main Barn)

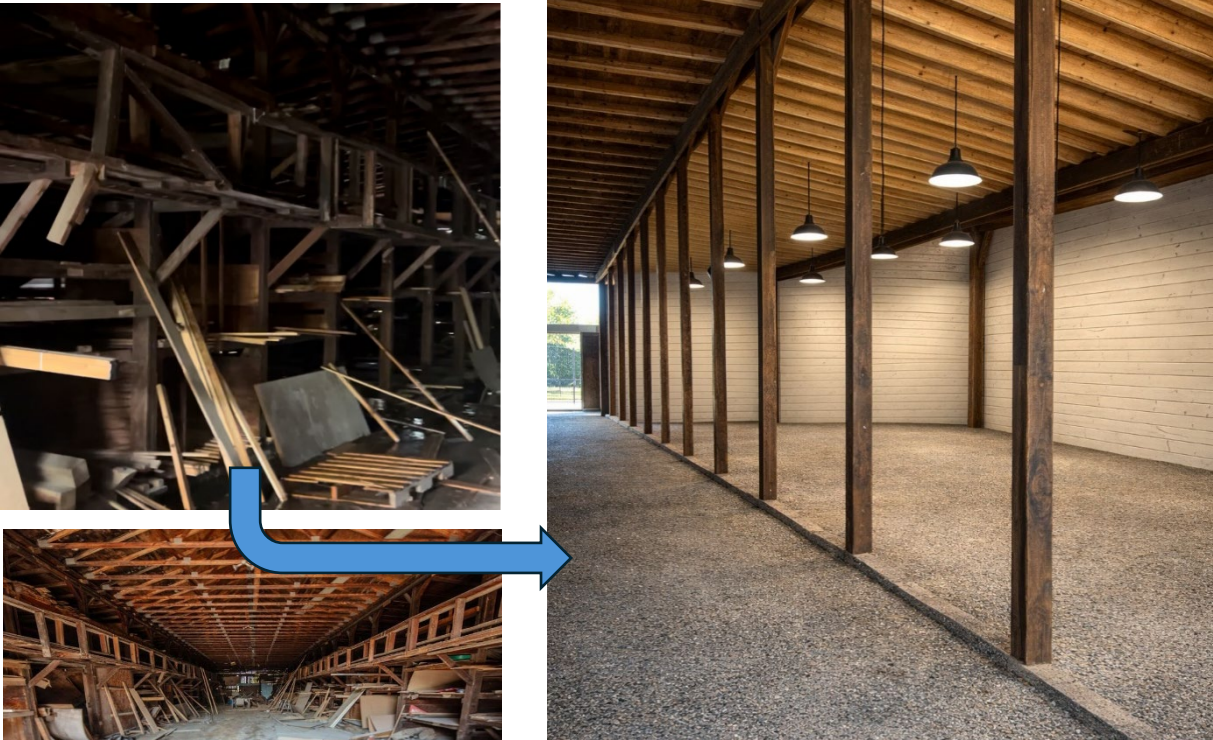
The historic main barn is proposed to be restored and adaptively reused as a flexible public market and event space. Conceptually, the space is designed to accommodate farmers markets, artisan vendors, performances, educational programming, and community gatherings in a manner consistent with its historic form and character.

The Barn consists of two primary spaces, for practical purposes identified as the Main Floor and the Annex. Each section is separately entranced but connected visually by large openings in the North wall. A description, status and rendering of goal is set forth as follows:

#### **Main Floor:**

**Size:** This space is defined in the “As Built” drawings completed by Davis & Davis and is an approximate 4,600 sq ft open market/event space. The original post and beam construction is restored to allow the two sides of the space to be planned for seasonal vendor booths and/or and public gathering space.

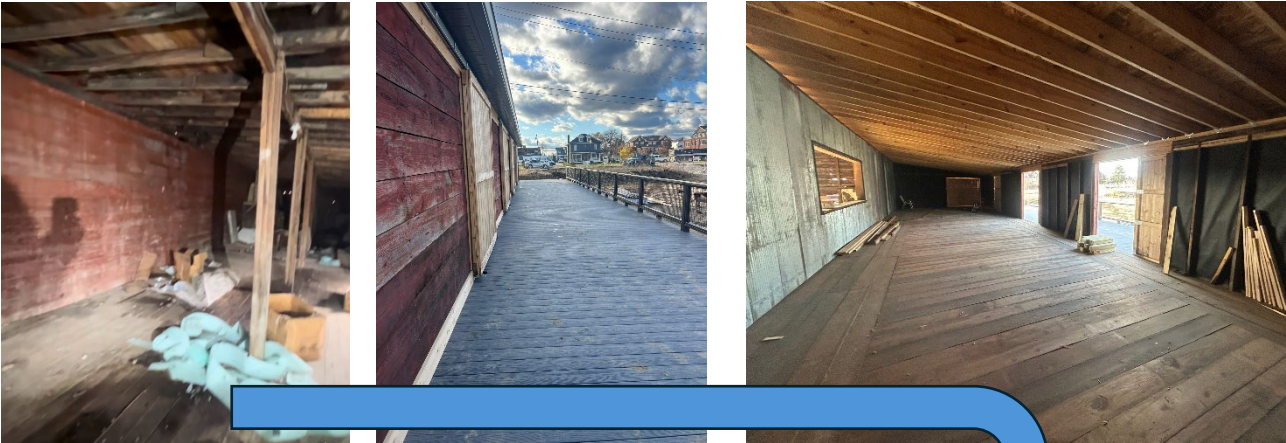
**Access:** The Main Floor is accessible from three main ingress/egress points. The East Barn Door(s) will be open, at grade, to a width of 18’ and height of ‘14’. This opens into the barn and onto a pre-existing hard surface floor. The Main Floor is also served on the West side by a 7’ wide 8’ tall glass paneled garage door and a 36” wide crash bar equipped door. The South side is fixed with three 7’x8’ glass panel garage doors, and will have an additional 36” crash door.



**ANNEX:**

**Size:** This space has a floor height that is 3.5' above the main floor grade and has a floor area of approximately 1400sq ft. It is supported by an attached exterior deck that is an additional 1200 sq ft.

**Access:** This space is open from the deck, at level, from five 6-7' barn doors that open and latch in place. Access into the annex and upon the deck from the ground level is done in two ways, at grade on the west end, where landscaping and p[aver walkway design will flow foot/accessible traffic into the space through a 7' barn door opening or directly to the 12' wide open deck (railed). There is also a 12' wide stair access on the north face of the deck.



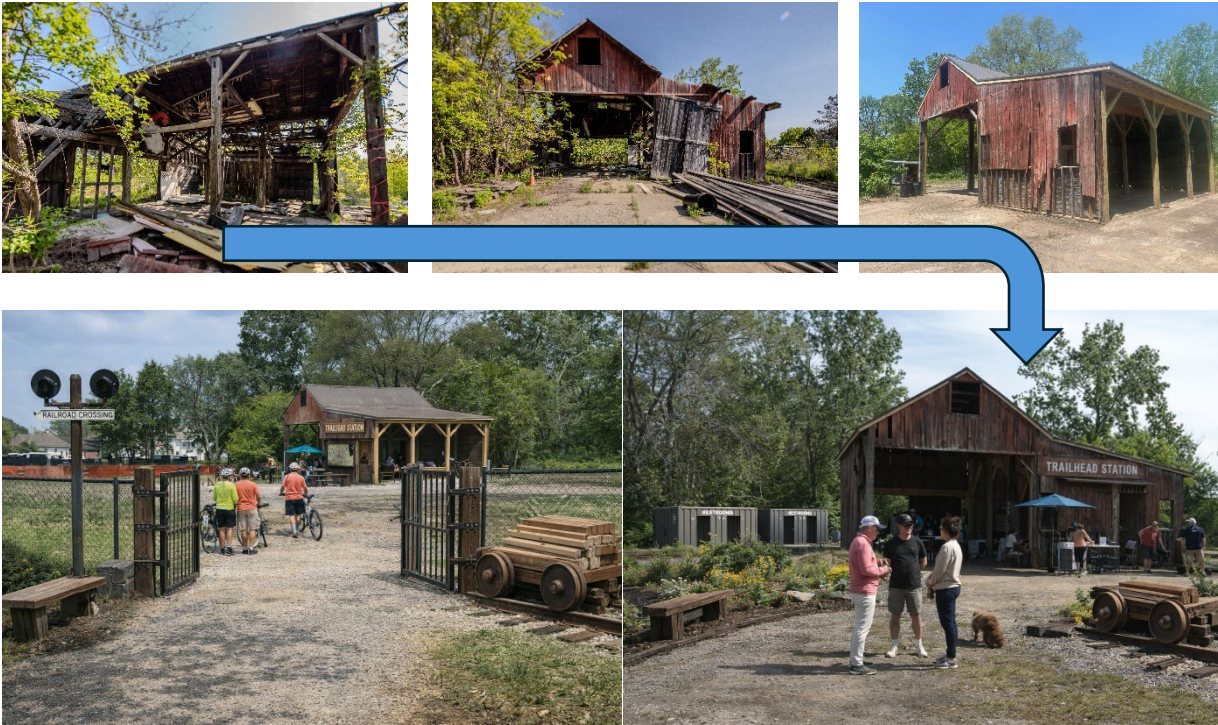
### Market Pavilion

The former lumber rack structure on the East side the Main Barn is proposed to be repurposed as an open-air market pavilion providing vendor stalls for produce, flowers, seasonal markets, festivals, and artisan sales. This is an existing structure, rebuilt for structural capacity and as built approval by inspection. It will result in 11 stalls, each completely open air, and approx.. 160 sqft/each. The structure will be served on the South by a hard surface loading area that will also allow parking when market activity is not in use. Each stall will have overhead lighting and be served by a 20 Amp weather resistant GFI.



### Trailhead & Canopy Structure

A repurposed supply house canopy is envisioned to support Paint Creek Trail users with shaded gathering space and trail-oriented amenities, including public restrooms and wayfinding. This structure has been rebuilt to insure capacity an load, including the addition of new post supports, reinforced truss work and clipping for wind events. It will be powered to support accessory uses such as coffee, donuts, packaged water and soda as pop-up exterior uses.



### Outdoor Public Spaces

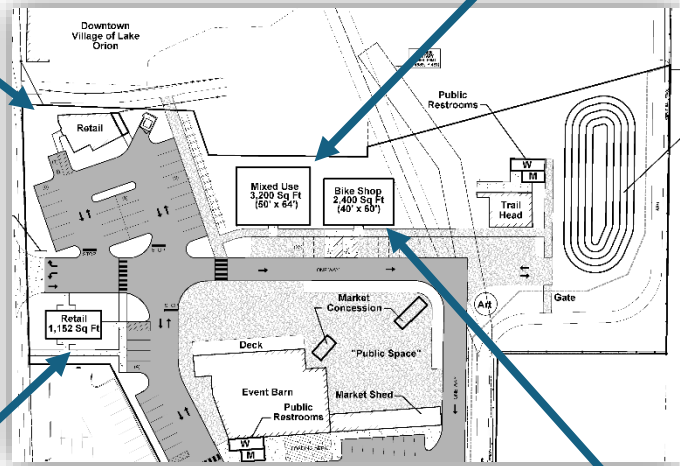
Conceptual plans include ADA-accessible decks, landscaped gathering areas, performance and event spaces, public art opportunities, and native or low-maintenance plantings. Public areas are planned on the North side of the market pavilion, the north side of the Annex, along the pedestrian path from Downtown behind the frontage retail, and around the trailhead. A trip generation report is attached hereto as Exhibit A. The anticipated use for public areas is as a gathering space, where pedestrians may relax, enjoy a beverage purchased at the market or form a retail use, events can host licensed activities.

**PUBLIC AREA:** the active public areas make up approximately 1.2 acres of total open space on the project. This accounts for 26% of the entire development area of the site.

**GREENBELT/LANDSCAPE:** the additional landscaping and natural plantings, including the retention area, overlay an additional .85 acres, resulting in a total open space on site of 2.05 acres or 49% of the development area.

### Commercial / Office Building & Supporting Structures

The historic office building is proposed for white-box renovation to support small-scale commercial uses such as a bakery or complementary retail. There are three proposed new development areas that are intended for pre-fabricated/stick built construction. These are intended for food service, LCC licensed beverage, bike shop, and downtown retail. Additional prefabricated or accessory structures may support these uses in later phases. All use categories will be a permitted use under the Mixed Use / Downtown zoning plan. This is in accord with the Village Master Plan.



## II. PUD-Specific Technical Considerations

### Utilities

Utilities are addressed at a conceptual level appropriate for Preliminary PUD review. Domestic water, sanitary sewer, electrical service, and fire protection infrastructure are anticipated to be coordinated through shared utility corridors aligned with internal circulation areas. Final sizing, routing, and connections will be determined during subsequent engineering review.

### Fire Access & Fire Protection

Fire access is a core organizing principle of the conceptual site framework. Internal circulation is designed to allow emergency vehicle access to primary structures without conflicting with pedestrian gathering areas. Fire protection systems and hydrant placement will be finalized during detailed design and reviewed by the Fire Marshal.

### Parking & Circulation

Parking is envisioned as shared, distributed parking serving multiple uses with differing peak demand periods. The site promotes a “park once, walk many” experience with strong pedestrian connections to downtown and the trail system. Event-related parking demand will be managed through a combination of on-site spaces, nearby public parking, and operational strategies.

A report reviewing the daily average trips generated by the site is attached as Exhibit A. In summary the report indicates:

For planning-level estimates, approximate average daily external vehicle trip rates are:

- Public market (7,040 sq ft market area):  $\approx 40$  vehicle trips / 1,000 sq ft  $\rightarrow$   $\sim 280$  daily vehicle trips
- Bakery (1,400 sq ft):  $\approx 80$  vehicle trips / 1,000 sq ft  $\rightarrow$   $\sim 110$  daily vehicle trips
- Bike shop (2,800 sq ft):  $\approx 30$  vehicle trips / 1,000 sq ft  $\rightarrow$   $\sim 85$  daily vehicle trips
- Brewery with food (2,000 sq ft effective guest area):  $\approx 120$  vehicle trips / 1,000 sq ft  $\rightarrow$   $\sim 240$  daily vehicle trips
- Hotel (8 rooms):  $\approx 6$  vehicle trips / room / day  $\rightarrow$   $\sim 50$  daily vehicle trips
- Trailhead (incremental site use):  $\sim 40$  daily vehicle trips (many additional person trips by bike/foot).
- Farmers market (when active on top of public market): Additional  $\sim 150$  daily vehicle trips and higher midday peak activity, informed by farmers market studies showing high person-trip intensity.

Proposing 129 Parking Spaces, subject to final sizing of stormwater.

## Occupant Load

Based on the traffic and person-trip analysis, the Lumber Yard functions as a distributed, indoor-outdoor destination with a design peak of approximately 350 people site-wide on the busiest days. This occupancy is spread across barns, pavilions, plazas, trail connections, and multiple tenant spaces, rather than concentrated in a single assembly hall. Final occupant loads will be confirmed at building permit, but these planning-level numbers demonstrate that life-safety, fire access, and circulation are well within manageable ranges. For methodology and breakdown of occupancy, see the Report attached as Exhibit B.

## Historic Preservation & Adaptive Reuse Strategy

Historic preservation is the foundation of the project. Development prioritizes retention of original building footprints, forms, and materials where feasible, with modern code-compliant improvements integrated sensitively. The PUD mechanism is essential to preserving the site's historic character while enabling viable modern use. Methodology applied for this adaptive and preservation based PUD is set forth in Exhibit C.

## Vision & Community Benefits

The proposed redevelopment delivers significant public benefit that exceeds what could be achieved under conventional zoning, including:

- Preservation and adaptive reuse of historically significant structures;
- Creation of the Village's first dedicated public market and event barn;
- Expansion and enhancement of the Paint Creek Trailhead with public amenities;
- New public gathering spaces supporting civic life and cultural programming;
- Economic opportunities for local vendors, artisans, and small businesses;
- Increased downtown visitation supporting existing businesses and events.

### III. Rationale for Planned Unit Development

The Planned Unit Development framework is essential to achieving the project's preservation, public benefit, and placemaking objectives. Conventional zoning standards related to use, dimensional requirements, parking, and site layout are incompatible with the historic configuration of the site and would significantly limit adaptive reuse.

The PUD approach allows:

- Flexible integration of civic, commercial, cultural, and recreational uses;
- Preservation of historic building footprints and spatial relationships;
- Shared parking and circulation strategies appropriate for a downtown destination;
- Phased implementation responsive to market demand and funding availability.

### IV. Applicability to PUD Ordinance Standards (Eligibility)

The proposed redevelopment is appropriate for review under the Village of Lake Orion Planned Unit Development provisions. For purposes of Preliminary PUD eligibility, the project:

- Advances the intent and purpose of the PUD ordinance by delivering superior design and public benefit;
- Functions as a unified and comprehensively planned development;
- Is compatible with surrounding downtown uses and scale;
- Provides substantial public amenities and preservation outcomes;
- Demonstrates feasibility of infrastructure, access, and services;
- Aligns with the Village Master Plan and Downtown Development Authority objectives.

#### Preliminary PUD Eligibility

The Lumber Yard at Paint Creek represents a unique historic resource whose preservation and activation cannot be reasonably achieved under conventional zoning. The Planned Unit Development framework enables the Village to preserve historic structures, support phased and flexible redevelopment, and deliver significant public amenities that enhance downtown Lake Orion.

For these reasons, the project is appropriate for Preliminary PUD eligibility determination and conceptual approval, with final site plan, engineering, and permitting to follow in subsequent review phases.

## Phasing & Incremental Implementation

The Lumber Yard at Paint Creek is intentionally structured for phased redevelopment. Initial phases focus on restoration and activation of the Event Barn, Market Pavilion, and core public spaces. Subsequent phases include expanded commercial uses, hospitality elements, and additional site amenities. The PUD framework allows this incremental approach while maintaining overall site coherence and public benefit.

### Phase 1:

- Compete plan review and approval by April 2026
- Pursuant to a new zoning compliance permit, start foundational repair and expansion to reactive and obtain occupancy permit for original office, completed by May 2026.
- Close on all MDOT permit approval(s) including spillways access.
- Upon plan approval, commence public space development, utility stubbing, finish historic structure renovation and adaptive reuse, engage in protected soft opening of public areas, August/Sept. 2026
- Parking areas, stormwater, lighting, accessibility, seeking completion November 2026

### Phase 2:

- Upon plan approval, commence pad development, utility stubbing, pre-fabricated engineering, May 2026
- Construction of prefabricated structures, Summer 2026
- User build out, interior, glass, utility, fire, and permit compliance, seeking completion by March 2027
- Mixed use site fully open by June 2027

## V. Requested Action

The applicant respectfully requests that the Planning Commission determine that the proposed Lumber Yard at Paint Creek redevelopment:

1. Qualifies for consideration under the Planned Unit Development (PUD) provisions of the Village of Lake Orion Zoning Ordinance; and
2. Is appropriate for Preliminary PUD eligibility determination and conceptual approval, subject to conditions and further review.

## Scope of Review

At this stage, the Planning Commission is being asked to review the proposal at a **conceptual and eligibility level only**. The following are **not** requested or approved as part of this action:

- Final site plan approval;
- Engineered grading, drainage, or utility plans;
- Building design approval or construction authorization;
- Final parking counts or traffic analysis;
- Permits of any kind.

## Purpose of Preliminary PUD Eligibility Review

The purpose of this preliminary review is to confirm that the proposed redevelopment qualifies for use of the PUD zoning mechanism, that the requested flexibility is appropriate given the site's historic constraints and public benefit objectives, and that the overall development concept is consistent with the Village Master Plan and Downtown Development Authority goals.

Establishing PUD eligibility at this stage allows the applicant and the Village to proceed with detailed site planning and engineering with clarity, predictability, and reduced risk.

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## Typical Outcomes of This Review

Upon completion of this review, the Village of Lake Orion may:

- Determine that the project is eligible for PUD consideration;
- Grant conceptual approval of the overall development framework;
- Identify conditions, parameters, or guiding principles to be addressed during Final PUD and Site Plan review;
- Direct the applicant to proceed with preparation of final plans and engineering.

Exhibit(s) A,B,C, and APPENDIX on the following pages



## Lumber Yard at Paint Creek

### Trip Generation & Foot Traffic Report

This report estimates the **vehicular trips** and **person trips (foot traffic)** anticipated from the proposed reuse of the historic barns and associated structures at the **Lumber Yard at Paint Creek** as:

- A **public market** (Thursday–Sunday, warm season with seasonal winter operations)
- A **farmers market** (Friday and Saturday in market season)
- A **formal trailhead** serving the adjacent trail system

and, in a full build-out scenario, with:

- A **bakery** ( $\pm 1,400$  sq ft)
- A **bike shop** ( $\pm 2,800$  sq ft)
- A small **8-room hotel**
- A seasonal **brewery with food**, using shipping-container bar and kitchen with outdoor seating

The intent is to provide **planning-level estimates** appropriate for:

- Planning Commission packet materials
- Market study and lease preparation
- Internal DDA project planning and communications

These are **reasonable, order-of-magnitude projections**, not a stamped Traffic Impact Study. Final engineering should refine them using the latest ITE Trip Generation Manual datasets and any local traffic counts.

### **A. Project Description & Operating Assumptions**

Program Description:

- Main barn usable interior floor area: approx. 5,500 sq ft
- Pavilion / market rack: 11 stalls  $\times$  140 sq ft  $\approx$  1,540 sq ft
- Total enclosed/open market area:  $\approx$  7,040 sq ft

Additional program elements (full build-out scenario):

- Bakery:  $\pm 1,400$  sq ft
- Bike shop:  $\pm 2,800$  sq ft
- Small hotel: 8 rooms
- Seasonal brewery with food: shipping-container kitchen + bar; effective guest area assumed  $\approx$  2,000 sq ft (containers plus outdoor seating)

## **B. Operating Schedule**

- Public market (general market use):
  - Open Thursday–Sunday, beginning in warm weather and transitioning to a smaller seasonal/winter market.
  - Typical operating hours: 9:00 a.m. to dark, extended later on weekends with music/events (anticipated every weekend in season).
- Farmers market:
  - Friday and Saturday, 9:00 a.m. to dark, during the regular farmers market season.
- Trailhead:
  - 7 days per week, dawn to dusk, supporting trail users, downtown visitors, and market patrons.
- Coffee / bakery service:
  - Coffee, donuts, and healthy options early morning through early afternoon, at least five days per week.
- Barn event space:
  - Assumed ~20 events/year, with event-day traffic “spikes” occurring primarily on weekend evenings. Event days are treated qualitatively in this report, with core numeric estimates focused on typical market days.

The report focuses on peak-season operation (warmer months when all elements are active).

## **C. Methodology & Key Assumptions**

### ***Data Sources***

- The ITE Trip Generation Manual (11th and 12th Editions) and related resources, which provide standard trip rates and methodologies for various land uses.
- Supplemental studies of farmers markets and agritourism/winery/brewery uses, which highlight higher person-trip activity and a stronger share of walking and biking for these uses.
- Summary tables of common trip generation rates for retail, restaurant, and lodging uses derived from the ITE manual.

Where no exact ITE land-use code exists (e.g., public/farmers market, small seasonal brewery), this report uses analogous land uses (specialty retail, restaurant, agritourism) and conservative mid-range rates.

### ***Land-Use Analogues***

Approximate land-use analogues used:

- Public & farmers market: Specialty retail / farmers market analogues (ITE specialty retail center + limited farmers market data).
- Bakery / coffee: Coffee/donut shop without drive-through (scaled down), with more walk/bike and sit-down activity than a high-turnover drive-through.
- Bike shop: Specialty retail.
- Hotel: Small hotel, 8 rooms, using typical hotel trip rates per room.

- Brewery with food: Treated similarly to a drinking place / sit-down restaurant, adjusted to reflect its seasonal, evening, and event focus.
- Trailhead: Modeled as a small park/trailhead with parking, recognizing that a large share of trail users are walk/bike arrivals from the neighborhood/downtown grid.

### ***Vehicle Trip Assumptions (Per Day)***

For planning-level estimates, approximate **average daily external vehicle trip rates** are:

- Public market (7,040 sq ft market area):  
≈ 40 vehicle trips / 1,000 sq ft → ~280 daily vehicle trips
- Bakery (1,400 sq ft):  
≈ 80 vehicle trips / 1,000 sq ft → ~110 daily vehicle trips
- Bike shop (2,800 sq ft):  
≈ 30 vehicle trips / 1,000 sq ft → ~85 daily vehicle trips
- Brewery with food (2,000 sq ft effective guest area):  
≈ 120 vehicle trips / 1,000 sq ft → ~240 daily vehicle trips
- Hotel (8 rooms):  
≈ 6 vehicle trips / room / day → ~50 daily vehicle trips
- Trailhead (incremental site use):  
~40 daily vehicle trips (many additional person trips by bike/foot).
- Farmers market (when active on top of public market):  
Additional ~150 daily vehicle trips and higher midday peak activity, informed by farmers market studies showing high person-trip intensity.

### ***Peak-Hour Assumptions***

- Combined uses (full build-out) are estimated to generate on the order of:
  - ~100 external vehicle trips in a typical design peak hour (late afternoon/early evening on a busy market day).
  - On farmers market days, this rises to about 140 external vehicle trips in the peak hour (approximate).

### ***Person-Trip, Mode Split & Internal Capture***

To convert vehicle trips to people and recognize your walkable downtown + trailhead setting, we assume:

- **Average vehicle occupancy:** 1.8 persons/vehicle (typical for mixed-use non-commute trips).
- **Non-motorized share (walk/bike):** approx. **30% of total person trips** for this site, reflecting strong trail, downtown, and internal circulation.
- **Internal capture between uses (full build-out):** approx. **30% reduction** in external vehicle trips due to cross-shopping and guests moving between the hotel, bakery, brewery, market, and bike shop **without re-entering the road system**.

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## Scenario Definitions

For clarity, two primary scenarios are presented:

Scenario A – Core Barn & Trailhead Program Only

- . Public market (barn + pavilion)
- . Farmers market (on designated days)
- . Trailhead
- . No bakery, bike shop, hotel, or brewery

Scenario B – Full Build-Out (Barns + All Tenants)

- . All Scenario A uses
  - . Plus bakery, bike shop, small hotel (8 rooms), and seasonal brewery with food.
- 

### D. Estimated Vehicle Trip Generation

#### Typical Peak-Season Day (Non–Farmers Market Day)

Scenario A – Barns + Trailhead Only

- Daily external vehicle trips:  $\approx 325$  trips/day
- Peak-hour external vehicle trips:  $\approx 50$  trips/hour

Scenario B – Full Build-Out

After accounting for internal capture between uses:

- Daily external vehicle trips:  $\approx 575$  trips/day
- Peak-hour external vehicle trips:  $\approx 100$  trips/hour

#### Farmers Market Days (Friday & Saturday in Season)

On days when the farmers market is operating in conjunction with the public market:

Scenario A – Barns + Trailhead + Farmers Market

- Daily external vehicle trips:  $\approx 475$  trips/day
- (This reflects the base 325 plus  $\sim 150$  additional trips from farmers market activity.)

Scenario B – Full Build-Out + Farmers Market

- Daily external vehicle trips:  $\approx 725$  trips/day
- Peak-hour external vehicle trips:  $\approx 140$  trips/hour

These values reflect the “**most probable**” scenario rather than ultra-conservative or highly optimistic assumptions, per your direction.

## E. Estimated Person Trips & Foot Traffic

Using the mode split and occupancy assumptions (1.8 persons/vehicle, 30% non-motorized), the site supports a significantly larger **person-trip** volume than vehicle-trip volume, which is exactly the point of your trail-oriented, walkable design.

### Typical Peak-Season Day (Non–Farmers Market Day)

Scenario A – Barns + Trailhead Only

- Total daily person trips (all modes):  $\approx 825$  people/day
- Peak-hour person trips:  $\approx 125$  people/hour

Scenario B – Full Build-Out

- Total daily person trips (all modes):  $\approx 1,475$  people/day
- Peak-hour person trips:  $\approx 250$  people/hour

### Farmers Market Days

Scenario A – Barns + Trailhead + Farmers Market

- Total daily person trips:  $\approx 1,225$  people/day

Scenario B – Full Build-Out + Farmers Market

- Total daily person trips:  $\approx 1,875$  people/day
- Peak-hour person trips:  $\approx 350$ – $375$  people/hour (rounded as  $\approx 350$  for planning purposes)

These person-trip totals reflect:

- Market shoppers
- Farmers market patrons
- Trail users
- Hotel guests
- Bakery and coffee patrons (including strong AM peak)
- Brewery and food patrons (evening and weekend peaks)
- Cross-shopping between all on-site uses

**Design peak hour for vehicles** typically occurs **late afternoon / early evening**, when:

- Market activity is still present
- Brewery and food service is ramping up
- Music/events are underway on weekends
- Hotel guests are arriving or returning for dinner

Even under full build-out, this peak is roughly **100–140 vehicles/hour and 250–350 people/hour**, which is significant for site design but generally manageable for a downtown street network when paired with appropriate access management and on-site circulation.

## F. Pedestrian, Bicycle, and Trailhead Emphasis

An important qualitative conclusion is that the Lumber Yard at Paint Creek is a pedestrian- and trail-oriented destination, not a conventional auto-only commercial strip:

- Formal trailhead encourages arrivals by bicycle and on foot.
- Direct adjacency to downtown Lake Orion supports short “park once, walk many” trips.
- Internal connectivity (barn, pavilion, bakery, bike shop, brewery, hotel) increases internal capture and reduces repeated driveways interactions.
- The site’s programming (events, markets, outdoor seating) and design (decks, paths, plazas) intentionally favors walking and lingering.

For Planning Commission and Council, it is appropriate to emphasize that:

- While the vehicle trip generation is moderate, the person-trip generation is high, which is exactly what a thriving public market, historic barn reuse, and trailhead are supposed to do.

## G. Traffic & Parking Implications (High-Level)

At this planning level:

- 100–140 peak-hour vehicle trips is a moderate traffic load typically handled by a standard two-lane downtown street with appropriate access.
- Parking demand will be driven by peak overlapping activity (farmers market + brewery + evening events). Even so, the walk/bike share and internal capture significantly reduce the need for standalone parking compared to an auto-only strip center of equivalent square footage.
- Event days (weddings, concerts) will create spiky peaks; these should be handled through event management (shared lots, shuttle options, and clear wayfinding) rather than trying to size permanent infrastructure for the absolute peak.

The core barns + trailhead program (Scenario A) is expected to generate on the order of:

- ~325 external vehicle trips/day (typical day), rising to ~475/day on farmers market days.
- ~825–1,225 person trips/day depending on whether the farmers market is operating.

The full build-out with bakery, bike shop, small hotel, and brewery (Scenario B) is expected to generate on the order of:

- ~575 external vehicle trips/day (typical peak-season day) and ~725/day on farmers market days.
- ~1,475–1,875 person trips/day, with 250–350 people in the design peak hour.



# Occupancy Load Report

## Lumber Yard at Paint Creek – Planning-Level Analysis

This Occupancy Load Report provides planning-level occupant estimates for the Lumber Yard at Paint Creek redevelopment, derived directly from the previously prepared Trip Generation & Foot Traffic Report.

The intent is to:

- Demonstrate reasonable maximum occupant levels for code coordination
- Support fire access, life-safety, and circulation discussions
- Avoid premature or overly conservative assumptions prior to final tenant layouts and stamped construction drawings

This report is not a final code occupancy certification, which will be completed during building permit review once tenant layouts, furniture plans, and fire protection systems are finalized.

### **Methodology**

Rather than applying worst-case assembly factors uniformly across the site, this report:

- Uses observed person-trip volumes from the trip study
- Focuses on design peak hour occupancy, not cumulative daily totals
- Accounts for the distributed, indoor–outdoor, multi-use nature of the site
- Reflects real-world market, trailhead, and brewery behavior patterns

This approach aligns with how planning commissions and fire officials typically review adaptive reuse and outdoor market environments.

### **Design Peak Hour Reference (From Trip Report)**

<b>Scenario</b>	<b>Peak-Hour Person Trips</b>
Scenario A – Barns + Trailhead	~125 people/hour
Scenario B – Full Build-Out	~250 people/hour
Scenario B + Farmers Market	~350 people/hour

These values already include:

- Market patrons
- Trail users
- Food & beverage customers
- Cross-shopping between uses
- Walk-in and bike-in visitors

### Occupancy Distribution by Functional Area

Because occupants are distributed across multiple spaces, the design peak hour does *not* result in all occupants loading into one structure.

#### Scenario B – Full Build-Out + Farmers Market (Design Peak)

**Total Planning Occupancy:** ~350 persons (site-wide)

Area	Approx. Occupants	Notes
Main Barn (market + events)	140–160	Standing + browsing; not seated assembly
Pavilion / Market Stalls	60–70	Open-air, dispersed
Brewery + Outdoor Seating	60–80	High turnover
Trailhead / Paths / Plazas	40–60	Continuous movement
Bakery / Bike Shop / Hotel Lobby	30–40	Distributed, short-stay

Key Point: Occupancy is spread across indoor and outdoor areas, significantly reducing life-safety risk compared to a single enclosed assembly hall.

**Planning-Level Occupant Load Summary:** For entitlement, zoning, and PUD purposes, the following reasonable maximum planning loads are supported:

Scenario	Planning Occupant Load
Typical Market Day	~250 persons site-wide
Farmers Market / Event Day	~350 persons site-wide
Core Barn Area (subset)	~150 persons

These figures are consistent with the observed person-trip volumes identified in the Trip Generation Report and reflect realistic operational conditions rather than theoretical maximums

#### Code & Fire Review Context

- Final occupant loads will be established during **building permit review** per the Michigan Building Code.
- Final calculations will be based on:
  - Actual tenant layouts
  - Furniture plans
  - Fire separation
  - Sprinkler coverage
  - Outdoor area definitions



## **Distinguishing New Development from Historic Restoration in Municipal Review, Infrastructure Requirements, and Regulatory Application**

This Memorandum affirms why a historic restoration project, such as the Lumber Yard at Paint Creek, should not be reviewed or regulated using the same standards that apply to new development. The argument draws from planning practice, preservation policy, engineering norms, and the intent of state and federal laws governing redevelopment, stormwater, and construction.

### **Foundational Principle: New Development ≠ Historic Restoration**

*New Development:* A new development assumes:

- Vacant, undisturbed land
- No existing impervious surface
- No existing utilities, foundations, or structures
- No cultural or historic resources to preserve
- Full design freedom to shape the site
- Engineering standards applied at their strictest because the site can be fully re-graded, re-engineered, and optimized

*Historic Restoration / Adaptive Reuse:* A historic restoration project involves:

- Long-existing buildings, foundations, utilities, and soils
- Pre-existing impervious surfaces
- Legally recognized or municipally valued historic resources
- A primary public benefit: preservation of cultural heritage
- Structural, spatial, and environmental constraints that limit redesign options
- A regulatory expectation of flexibility because the project improves rather than creates conditions

Therefore, treating a historic restoration as if it were raw, greenfield land contradicts the core principles of planning, engineering, historic preservation, and redevelopment law.

## **Purpose of Redevelopment and Historic Preservation Policy**

*Public Policy Intention.* State and federal frameworks clearly encourage:

- Reuse of existing buildings
- Stabilization of historic sites
- Revitalization of downtowns
- Intensification of existing urban areas
- Avoidance of unnecessary demolition
- Reduction of sprawl and greenfield consumption

*Compliance Burden Must Be Proportional.* These policies assume that:

- Redevelopment receives reasonable regulatory flexibility
- New development receives the strictest application of standards

This is why programs like Brownfield TIF, Main Street, SHPO incentives, and redevelopment credits exist — they recognize that restoration is inherently more constrained.

## **Engineering and Site Constraints Are Fundamentally Different**

*Existing Foundations.* Historic sites contain:

- Old stone walls
- Timber-frame barns
- Masonry without reinforcement
- Settled or uneven substrates

Deep excavation or major grading can destabilize historic structures.

*Utilities and Unknown Subsurface Conditions.* Historic sites often include:

- Shallow utilities
- Abandoned lines
- Nonstandard connections
- Fill soils and buried debris
- Potential contamination

These factors eliminate feasibility for many new-development-style infrastructure installations.

*High Public Benefit = Lower Infrastructure Footprint*

- Tourism and cultural value
- Aesthetic improvement
- Property value uplift
- Pedestrian vibrancy
- Sustainability gains from reuse

**Stormwater and MS4 Application Must Differ.**

New Development Standards Assume:

- No impervious surface
- No existing historical constraints
- Ability to install large basins or full-site infiltration systems

Historic Restoration Standards Must Consider:

- Existing impervious cover
- Limited infiltration potential
- Existing foundations and utilities
- Preservation constraints
- MS4's Maximum Extent Practicable (MEP) standard

**Legal distinction:** MS4 compliance for redevelopment is measured against MEP, not absolute performance.

***Historic restoration projects should be reviewed using:***

- Redevelopment stormwater standards
- Net imperviousness increases
- 90th percentile storm options
- BMP trains
- Alternative compliance allowances

**Building Code Distinctions – Historic Buildings Are Not New Construction**

IEBC and Michigan Rehabilitation Code:

- Reduce requirements for historic buildings
- Allow alternative compliance

- Permit equivalent performance methods
- Discourage forcing prescriptive new construction standards on historic structures

Planning & Zoning Distinctions: Land Use vs. Preservation Overlay

Historic projects receive:

- Parking flexibility
- Dimensional variances
- Reduced landscaping requirements
- Modified utility standards

The policy goal is preservation, not demolition via regulatory burden.

Public Interest Argument

Historic restoration provides:

- Downtown revitalization
- Cultural preservation
- Tourism draw
- Sustainability benefits
- Enhanced walkability
- Identity and heritage continuity

The Lumber Yard at Paint Creek project is not a new development. It is a historic restoration within a constrained, previously developed site. Forcing new-development engineering and stormwater standards onto a preservation project contradicts MS4 law, the building code, planning practice, and the public policy goals of historic preservation. The correct regulatory path is redevelopment-level review, using flexibility built into MS4, IEBC, and local zoning to achieve compliance to the maximum extent practicable without damaging historic assets.

## Draft Findings of Fact – Preliminary PUD Eligibility

The Planning Commission of the Village of Lake Orion hereby makes the following findings for purposes of Preliminary Planned Unit Development (PUD) eligibility and conceptual review of the Lumber Yard at Paint Creek redevelopment:

### 1. PUD Eligibility and Purpose

The Planning Commission finds that the proposed redevelopment qualifies for consideration under the Planned Unit Development provisions of the Village of Lake Orion Zoning Ordinance. The project presents unique site conditions, including historic structures and preservation constraints, that warrant flexibility beyond conventional zoning standards.

### 2. Consistency with the Intent of the PUD Ordinance

The Planning Commission finds that the proposal is consistent with the intent and purpose of the PUD ordinance, as it promotes innovative, flexible, and high-quality development that delivers superior public benefit, historic preservation, and coordinated site planning.

### 3. Unified and Planned Development

The Planning Commission finds that the Lumber Yard at Paint Creek is proposed as a unified, comprehensively planned development in which buildings, parking areas, circulation, utilities, and open spaces function together as a coordinated whole rather than as independent or piecemeal uses.

### 4. Compatibility with Surrounding Uses and Downtown Context

The Planning Commission finds that the proposed uses, scale, and historic character of the project are compatible with surrounding downtown uses and are designed to reinforce, enhance, and complement the existing downtown environment.

### 5. Public Benefit

The Planning Commission finds that the proposed PUD delivers substantial public benefit, including preservation of historic structures, creation of public market and event spaces, enhancement of trailhead amenities, expansion of public gathering spaces, and economic opportunities for local vendors and businesses.

### 6. Infrastructure, Access, and Services

The Planning Commission finds that, based on conceptual review, the site can be adequately served by public utilities, fire access, parking, and circulation systems without adverse impact to surrounding properties or public infrastructure. Detailed engineering review will occur during subsequent approval phases.

## 7. Phasing and Flexibility

The Planning Commission finds that the proposed phased development approach is appropriate and consistent with the objectives of the PUD ordinance. The PUD framework allows incremental implementation while maintaining overall site coherence and public benefit.

## 8. Master Plan and Policy Consistency

The Planning Commission finds that the proposed redevelopment is consistent with the Village of Lake Orion Master Plan and Downtown Development Authority goals related to historic preservation, placemaking, economic development, trail connectivity, and creation of unique public destinations.

## 9. Scope of Approval

The Planning Commission finds that this action constitutes a determination of Preliminary PUD eligibility and conceptual approval only. Final PUD approval, site plan approval, engineering review, and permitting shall be required prior to construction.



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## BOARD ACTION SUMMARY SHEET

**MEETING DATE:** March 2, 2026

**TOPIC:** Monthly Planning and Zoning Report – February 2026

**BACKGROUND BRIEF:**

The Planning and Zoning Coordinator has provided a report on recent planning and zoning activities within the Village.

**RECOMMENDED MOTION:**

To receive and file the February 2026 Monthly Planning and Zoning Report.



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# Monthly Planning & Zoning Report

**FEBRUARY 2026**

Each month, the Village Planning Consultant, McKenna, assists in drafting a report on recent activities of the Planning Commission, Zoning Board, and the Planning & Development Department; we welcome comments.

## DEPARTMENT INITIATIVES AND PROJECTS

### **Updated Coordination with Township:**

The Planning and Zoning staff, Jake VanBoxel and Sommer Nafal, will begin working part time at Orion Township Hall in efforts to streamline the permitting process. On March 14, the Township will make the shift to BS&A cloud, allowing easier access and efficiency.

The proposed schedule, to be finalized, is that McKenna staff's office hours will be performed at the Township Hall Offices, while the later portion of the day will be conducted at Village Hall Offices. This will ensure maximum coordination between all departments and entities. Either Jake or Sommer may be in office, with one person in office at a time.

### **The following projects are currently in progress:**

**Tax-Exempt Parcels and Village ROW Inventory:** Phase III: Full inventory, inspection, and mapping of Village-owned parcels and public rights-of-way to identify the extent of improvements/encroachments on public property.

A report has been created detailing the encroachments and the processes, which is to be submitted for Village review shortly. The Village may discuss next steps of action, including whether the report and next courses of action should be handled administratively or by adoption.

**Master Plan – Strategic Action Plan:** The Planning Commission reviewed the final draft and recommended approval to the Village Council, which subsequently approved distribution for the 42-day public review on April 14, 2025.

The 42-day period ended on May 26, 2025. Responses have been collected from the necessary reviewers. The next steps in this process are for the required public hearing, final review, and adoption.

**PERMIT DETAILS**

PERMIT TYPE	ADDRESS / PROJECT	DESCRIPTION	SUBMITTED	APPROVED
<b>ZONING COMPLIANCE</b>				
C1D-QGZ	356 OAK LN	Installation of a generator, single-family residential in front yard	Feb 11, 2026	Rejected – Not in Compliance
Z-26-01	650 DETROIT AVE	Residential freestanding composite deck with railing and stairs	Jan 8, 2026	Jan 23, 2026
<b>TEMPORARY USE OF RIGHT OF WAY</b>				
3D7-AOR	29 FRONT ST	Verizon Wireless is proposing to install small cell equipment on an existing DTE pole.	Feb 16, 2026	Under Review
R-26-05	West Flint Street & South Broadway Street	Knights of Columbus - Tootsie Roll Street Collection	Feb 10, 2026	Under Review
<b>SIGNAGE</b>				
EMA-EZB	378 S BROADWAY ST	Sign for Dunkin & Baskin Robbins at Shell Gas station	Feb 10, 2026	Under Review
<b>FENCES / WALLS</b>				
No permits applications have been submitted since the date of the last meeting.				
<b>DEMOLITION</b>				
No permits applications have been submitted since the date of the last meeting.				
<b>CHANGE OF USE</b>				
C-26-01	18 S BROADWAY ST	Change of Use to Medical Aesthetic Clinic/Spa	Feb 3, 2026	Feb 10, 2026
<b>SPECIAL EVENT</b>				
MUX-B77	215 S BROADWAY ST (Lumberyard at Paint Creek Trailhead)	Dianne's Ride: Charity bike ride to benefit the Alzheimer's Association <i>Date of Event: 6/6</i>	Feb 18, 2026	Under Review
SE-2026-005	3 S BROADWAY (Flint and Broadway Streets)	Art and Flower Fair <i>Date of Event: 5/16-5/17</i>	Jan 9, 2026	Under Review
2NJ-O4J	21 E CHURCH ST (Downtown)	Memorial Day Ceremonies and Parade <i>Date of Event: 5/25</i>	Feb 9, 2026	Under Review
SE-2026-007	93 S ANDERSON ST	Orion Veterans Memorial Day Run/Walk <i>Date of Event: 5/25</i>	Feb 3, 2026	Under Review
SE-2026-006	165 S BROADWAY ST	Children's Easter Egg Hunt <i>Date of Event: 4/4</i>	Feb 2, 2026	Under Review
QUY-65P	44 E FLINT ST	Lake Orion Lions Club Jubilee <i>Date of Event: 6/25-6/28</i>	Jan 30, 2026	Under Review

**VARIANCE REQUESTS**

NAME / LOCATION	REQUESTED VARIANCES	MEETINGS / STATUS
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No variance applications have been submitted since the date of the last meeting.

## ACTIVE DEVELOPMENT PROJECTS

NAME / LOCATION	DESCRIPTION	REVIEW & APPROVAL STATUS
<b>44. E Flint</b>	VLO-24-02 4-story, mixed-use, multi-family, retail, and office on existing parking lot.	Planning Commission Approval: August 5, 2024; variance required BZA Approval: October 2, 2024. Engineering & Fire Marshal Approval: Awaiting revised plans <b><u>STATUS: Has an extension until August 2026 to submit permits. Applicant will not be continuing with current plans, awaiting submittal of revised plans.</u></b>
<b>ORION VILLAS</b> 597 E. Flint	VLO-23-03 Attached townhomes, 8-unit site condominiums.	Planning Commission Approval: June 5, 2023 Council Condo Docs Approval: April 8, 2024 Engineering Approval: January 10, 2024, as noted Final Zoning Approval: January 9, 2024 <b><u>Construction: Nearing Completion. Awaiting stormwater management agreement.</u></b>
<b>WEST VILLAGE</b> 55 W. Elizabeth	VLO-23-04 Former Ehman Center PUD for mixed-use, multiple-family residential flats and lofts at the former Ehman Center property.	PC / Council PUD Eligibility Approval: September 7 / 13, 2021 PC / Council Preliminary PUD Approval: October 4 / 25, 2021 PUD Extension Approval: October 10, 2022 Planning Commission Final PUD Approval: September 5, 2023 Engineering & Fire Approval: Revise and Resubmit October 24, 2023 Council PUD Agreement Approval: December 11, 2023 Council Amended PUD Agreement Approval: June 10, 2024 PUD Execution / Recording: Completed May 2025 Pre-Construction Meeting: Pending Final Engineering Meeting with Architects and Engineers held January 13, 2026. <b><u>STATUS: Waiting on revised plans based on discussion.</u></b>
<b>Lake Street Realignment and Improvements</b>	Improvements to Lake & Flint intersection; license agreement w/Village.	Preliminary Council Approval: August 14, 2023; License Agreement Approval: November 27, 2023. Engineering Approval: August 29, 2024, as noted <b><u>STATUS: Will meet with developer to obtain update</u></b>
<b>SNUG HARBOR</b> 160 Heights	VLO-24-01 Multifamily development; adjacent to Mystic Cove	Planning Commission Approval: May 6, 2024. Engineering Approval: September 25, 2024 Final Zoning Approval: Pending additional information <b><u>STATUS: Condo conversion approved with conditions</u></b>
<b>MYSTIC COVE</b>	VLO-22-05 Mixed-use, multifamily townhomes & dock/shoreline improvements.	Planning Commission Approval: October 3, 2022. Council Lot Reconfigurations Approval: June 2023 Final Zoning Approval: April 23, 2024 Engineering Approval: October 31, 2024 <b><u>Construction: In Progress. Phase-1 Final As-builts approved.</u></b>
<b>STARBOARD</b>	VLO-23-05 Mixed-use, multifamily townhomes & marina improvements.	Planning Commission Approval: November 6, 2023. Council License Agreement Approval: November 27, 2023 Engineering Approval: Revise & Resubmit Final Zoning Approval: Pending Approved Boat House Renovation Zoning Compliance. Showroom and garage demolished. <b><u>Status: Approved for construction.</u></b>
<b>CONSTELLATION BAY</b>	VLO-23-02 Mixed-use residential, multi-family townhomes and apartments, shoreline improvements.	Planning Commission Approval: October 3, 2022. Planning Commission on April 3, 2023 (amended site plan) Engineering Approval: December 16, 2024 Final Zoning Approval: November 26, 2024 Construction: December 3, 2024 - Pre-con; Demo underway <b><u>STATUS: Grading has begun. Need to determine permit status and extent of work.</u></b>
<b>THE PENINSULA</b>	VLO-23-07 Single-family site condominiums	Planning Commission Approval: February 5, 2024 Council Condo Doc Approval: April 8, 2024 Engineering Approval: March 10, 2025, as noted Pre-Construction Meeting: March 18, 2025

		Final Zoning Approval: Granted <b><u>STATUS: Construction ongoing, nearing finalization.</u></b>
<b>146 S. Broadway</b>	VLO-23-06 Commercial site plan 3-unit "white box", interior & exterior modifications	Planning Commission Approval: October 2, 2023 Final Zoning Approval: November 22, 2023 Construction: Complete Change of Use / Signage Approval: Suite 160 (Robotic Relief); <u>Suite 154 granted approval/determining final compliance</u>
<b>CLOUD RETAIL</b> 494 S. Broadway	VLO-21-10 Commercial (marijuana retail) site plan.	Council Lot Reconfiguration Approval: March 13, 2023 Planning Commission Approval: April 3, 2023. Engineering Approval: Revise & Resubmit July 12, 2024 <b><u>Status: Review was sent 12/16/2025 to applicant. Awaiting resubmittal.</u></b>
<b>WEST HARBOR ORION</b> 225 Lake Street	Residential, single family homes (2)	PC / Council Lot Split Approval: January 6 / 13, 2025 Demolition: In Progress Recording: Ready per Engineering Approval April 22, 2025 Zoning Review: TBD; required for each new build. <b><u>Construction: Demolition ongoing</u></b>
<b>EASTPORT</b>	VLO-25-01 Cross-jurisdiction redevelopment of former commercial greenhouse for mixed use, retail, multiple-family, and single family.	Site Plan Submitted: May 5, 2025 (Township portion submitted as PUD Concept) Village-Township Joint Public Hearing: June 18, 2025.  <b><u>Pre-Construction Meeting: Pending Final Engineering – Status: Awaiting submittal.</u></b>
<b>ORION LUMBERYARD</b>	Public parking lot, pavilion, and gathering space.	Demolition & Cleanup: Ongoing; Building Structural Rehab: Building permit issued and structures to be saved are receiving necessary structural shoring. PUD Application: Held pre-application at the September Planning <b><u>STATUS: Awaiting site plan application submittal</u></b>
<b>WEST VILLAGE TOWNHOMES</b> 315 N Lapeer St	VLO-25-003 Demolition of school admin building and construction of 15 townhomes	Planning Commission Approval: September 2, 2025. <u>Awaiting applicant submittal of revised plans to address conditions of approval.</u> <b><u>STATUS: Awaiting applicant submittal of revised plans to address conditions of approval.</u></b>

**LOOKING AHEAD: POTENTIAL PROJECTS**

**Zoning Amendments:** The following table summarizes staff recommendations for Zoning Ordinance and/or Map amendments for consideration by the Planning Commission. Should the Planning Commission wish to pursue one or more of these amendments, the Commission may direct staff to further study the issue(s) and/or prepare draft amendment ordinance(s). All proposed amendments require a public hearing, a recommendation by the Planning Commission, and adoption by the Village Council.

SECTION	TOPIC / ISSUE	CHANGES
13.11	Parking or Storage of Recreational Vehicles on a parcel without a principal building or primary dwelling unit	<b><u>Section 13.11 ACCESSORY BUILDINGS, AND STRUCTURES, AND USES</u></b>  A. 2. Accessory buildings, <u>structures, and uses</u> are permitted only in conjunction with, incidental to and on the same zoning lot as a principal building that is permitted in the particular zoning district.  H. <u>Outdoor parking or storage of recreational vehicles, boats, trailers, and similar items constitutes an accessory use and shall comply with Article 13.17 of this Ordinance.</u>
13.17		<u>D. Accessory Use Limitation.</u> 1. <u>The outdoor parking or storage of recreational vehicles, watercraft, vessel trailers, or similar items shall be permitted</u>

		<p><u>only on lots containing a lawful principal building used for residential purposes.</u></p> <p>2. <u>Storage or parking of such items on vacant lots in residential districts is prohibited.</u></p>
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Prepared by:



McKenna provides day-to-day assistance to Village staff and administration, applicants and developers, and the public regarding planning, zoning, and economic development matters. We also assist in the administration of the Planning Commission and the Board of Zoning Appeals. Contact your McKenna team via email:

- **Jake VanBoxel, MSA, Principal Planner (jvanboxel@mcka.com)**
- **Sommer Nafal, NCI, Assistant Planner (snafal@mcka.com)**

Or visit us during on-site office hours, every Tuesday from 10:00am-5:00pm!

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As always, thank you for your support and participation – *it takes a Village!*