



MCKENNA

October 30, 2024

Mr. Darwin McClary, Village Manager
Village of Lake Orion
21 East Church Street
Lake Orion, Michigan 48362

Subject: 315 N. Lapeer Street: Rezoning Review #1

Mr. McClary:

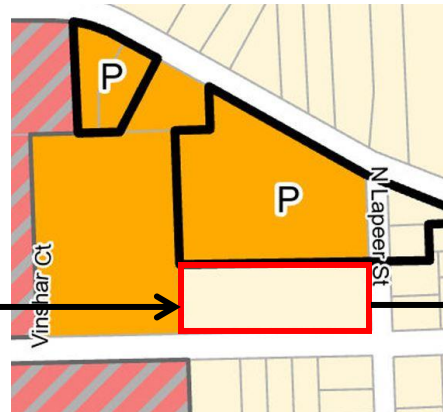
We have reviewed the application submitted by Mr. Kyle Westberg of West Investment Group, LLC, to rezone the subject site (parcel ID: 09-02-403-020) from the RV, Village Single-Unit Residential District to the RM, Multi-Unit District. The property – which is currently occupied by the Lake Orion Community Schools Administration Building, surface parking, and detention pond – is under purchase agreement between the applicant and LOCS, the Superintendent of which has supplied a letter authorizing the rezoning. This report is provided to ensure that the proposed rezoning is in substantial compliance with the Village’s Zoning Ordinance, Master Plan, and planning and zoning best practices.

EXISTING CONDITIONS

Property Gateway Parcel Map
Oakland County



Zoning Map, 2023
Village of Lake Orion



Future Land Use Map, 2022
Village of Lake Orion



- RV - Village Single Family Residential
- RL - Lake Single Family Residential
- RM - Multiple Family Residential
- CC - Corridor Commercial

- Village Single-Family Residential
- Multiple-Family Residential
- Corridor Commercial

HEADQUARTERS
235 East Main Street
Suite 105
Northville, Michigan 48167

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MCKA.COM

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Existing Land Use		Current Zoning	Future Land Use
*Subject Site	High School Admin. Building	Village Single-Unit Residential	Multi-Unit Residential
North	Vacant / Former High School	Multi-Unit Residential / PUD	Multi-Unit Residential
South	Single-Unit Homes	Village Single-Unit Residential	Village Single-Unit Residential
East	Single-Unit Homes	Village Single-Unit Residential	Village Single-Unit Residential
West	Mini-Warehouse Facility	Multi-Unit Residential	Multi-Unit Residential

RECOMMENDATION

It is recommended that the Planning Commission recommend approval of the proposed Zoning Map amendment for Parcel ID: 09-02-403-020 to be rezoned from RV, Village Single-Unit Residential District to RM, Multi-Unit District to Village Council based on the following findings of fact:

1. The proposed rezoning is consistent with the existing land use patterns of the surrounding parcels and provide an orderly transition from the existing commercial and multiple-unit and institutional uses to the west and north to the established single-unit neighborhoods to the east and south. The rezoning and future redevelopment may also contribute to the vibrant mix of housing options and provide a transition from the corridor and downtown commercial districts further west and south.
2. Rezoning the property to the RM District is fully compatible with surrounding zoning, which includes RM zoning to the north and west and RV zoning to the east and south. The single-family zoning has remained the same over the years, and the continued vacancy suggests that most uses permitted in the single-family residential district are not likely viable in this building.
3. The dimensional requirements of the requested rezoning district (the RM District) can be met.
4. With development trends geared toward higher density residential and mixed uses, supported by the Zoning Ordinance and Master Plan, the proposed rezoning will allow future development of the property to more-readily contribute to neighborhood vitality and economic development in the Village.
5. The request supports a variety of objectives of the 2002 adopted Master Plan and the 2022 Future Land Use and Zoning Plan amendment, making the economic reuse of the property highly desirable.
6. The proposed rezoning will not create a “spot” zone and is not likely to result in an undesirable trend to rezone parcels contrary to the Master Plan because of the location/existing conditions of the subject site.



REZONING REVIEW

In accordance with the rezoning criteria of Article 19 of the Zoning Ordinance, we offer the following comments for your consideration:

1. **Would the rezoning be consistent with other land uses in the area?**

The subject property is currently located in an area of the Village with a mix of uses. To the north is the former high school / Ehman Center, which is also owned by the applicant and approved as a Planned Unit Development for multi-unit apartments and flats; the project is undergoing final engineering and site plan reviews. To the west is a non-conforming mini-warehouse (self-storage facility), while other surrounding properties to the south and east contain single-unit homes, some of which have been converted into multi-unit dwellings.

The use of this corner site as multi-unit housing can be fully aligned with the surrounding land use patterns as it provides a transition among the various uses. When a site plan is proposed for the property, the applicant must comply with buffering, landscaping and design and engineering requirements so as to not burden the neighbors.

Additionally, both Lapeer Road and Elizabeth Street are classified as Village Major Streets which are functionally appropriate for higher traffic volumes that could be generated by the RM District.

2. **Is the proposed zoning district compatible with the zoning classifications of surrounding land?**

The subject property is zoned the RV, Residential Village District and currently contains the LOCS administration building, surface parking, and detention pond. The properties to the south and east are zoned single-unit residential, while the property to the west is zoned multi-unit residential. The proposed rezoning to multi-unit residential would be consistent with the adjacent residential districts.

If rezoned, future uses permitted by right would include uses permitted in the RL and RV Districts, but also two-unit dwellings, multiple-unit dwellings, nursing homes, convalescent homes, rest homes, and housing for the elderly, as defined. After public hearing and subject to special land use approval by the Planning Commission, hospitals, funeral homes, bed and breakfast facilities, adult foster care group homes, mobile home parks, childcare centers, places of worship, public utility buildings, and wireless communication facilities are among the uses that could be permitted.

3. **Could all requirements in the proposed zoning classification be complied with on the subject parcel?**

The subject site can conform to the dimensional standards of the RM, Multiple Unit District, per Section 12.03: Schedule of Regulations.

4. **Have conditions changed since the Zoning Ordinance was adopted?**

The Zoning Ordinance received a complete update in 2007 with minor amendments through 2022. The current single-unit zoning designation has remained the same over the years, and the property will soon be vacant. Further, recent development patterns in the Village have been geared toward higher density dwellings and mixed-uses, suggesting that most uses permitted in the single-unit residential district are not likely viable for the re-use of this site.

5. **Is the proposed rezoning consistent with both the policies and the uses proposed for that area in the Master Plan? If not, is the Plan current and reasonable, or does it need to be updated?**

The following adopted goals and objectives of the 2002 Village Master Plan support the subject rezoning:



- Promote and encourage small town village character by protecting and preserving historic homes and encouraging historic preservation;
- Limit multiple-family residential development to areas where they act as buffers between lower density single family residential and higher intensity land uses, such as commercial, office and major roadways, and only where it can be adequately served by public and private services;
- Support and encouraged mixed use development in the downtown and near downtown areas.
- Maintain and enhance the historical character of the Village's older structures, and encourage the office designation of historic buildings and sites; and
- Improve the function and appearance of local streets by encouraging Village character landscaping with street trees, lighting, and sidewalks.

The 2022 Future Land Use and Zoning Plan – and adopted amendment to the Master Plan – further affirms the rezoning of this parcel, which supports higher density multi-unit residential in this area. This designation is also supported by the public engagement gathered through the Master Plan amendment planning effort initiated in 2020.

6. Will the amendment result in permissible exclusionary zoning?

No, the proposed rezoning will permit the continuance of orderly, residential development in this area of the Village.

Respectfully submitted,

McKENNA

Gage Belko, AICP
Associate Planner

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

Mr. Kyle Westberg, Applicant (West Investment Group, LLC), 70 Oakland Ave., Pontiac, MI 48342
(kwestberg@westconstruction.com)



Village of Lake Orion

21 E. Church Street
 Lake Orion, Michigan 48362
 Tel 248.693.8391
 Fax 248.693.5874
www.lakeorion.org

ZONING MAP/TEXT AMENDMENT APPLICATION

A petition for amendment of the Zoning Ordinance shall be submitted to the Village Clerk on this form.
 15 copies of materials must accompany. They will be submitted to Planning, Village Attorney, and Village Council. Please refer to Page 2 of this application regarding documents to submit.
 Fees must be paid when submitting materials and application.

MAP AMENDMENT A change in the zoning designation on a parcel of land in the Village.

Site Address: 315 N. Lapeer Street, Lake Orion, MI 48362 Parcel ID # (Refer to Tax Bill): 09-02-403-020

Common Name of Site: _____ Zoning District: _____

Name of Petitioner: West Investment Group, LLC Address: 79 Oaklamd Ave., Pontiac, MI 48342

Phone#: 248-758-9925 Email Address: Kwestberg@WestConstruction.com

PROPERTY OWNER INFORMATION

Property Owner Name: Lake Orion Community Schools Address: 315 N. Lapeer Street, Lake Orion, MI 48362

Property Owner Phone #: 248-693-5493 E-Mail: Andrea.Curtis@lok12.org

Current Zoning Designation: RV - Village Single Family Res. Proposed Zoning Designation: RM - Multiple Family Residential

Legal Description Proof of Ownership Plot Plan Statements

If Request is for a Conditional Re-Zoning Agreement Conditional Rezoning Agreement Fees

TEXT AMENDMENT A change in wording of a provision of the Zoning Ordinance.

Name of Petitioner: _____ Address: _____

Phone#: _____ Email Address: _____

Full Text of Current Article, Section and/or Paragraph Full Text of Proposed Amendment Statement

Fees

The Undersigned do hereby respectfully make application to and petition the Village of Lake Orion to Amend the Village Zoning Ordinance/Zoning map and agree to all submit all necessary fees:

Signature of Petitioner: [Signature] Date: 8/6/24

Signature of Property Owner: _____ Date: _____

Signature of Agent: _____ Date: _____

Signature of Property Owner: _____ Date: _____

When submitting a Zoning Map or Text Amendment Application, please refer to the list below for items to submit with the application.

Map Amendment: A petition for map amendment (zoning designation change) shall contain, at a minimum, the following information:

- a. The name, address, and telephone number of the petitioner. **Application page 1**
- b. A plot plan prepared under the direction of and sealed by one of the following professionals registered in the State of Michigan: Registered Architect, Registered Land Surveyor, Registered Civil Engineer, Registered Landscape Architect, or Registered Professional Community Planner, drawn to scale showing the property proposed to be rezoned showing:
 - i. The tax identification number and lot lines of all parcels included in the rezoning petition. **Complete**
 - ii. All structures, if any, on the parcels proposed to be rezoned. **Complete**
 - iii. The current zoning on the parcel(s) proposed to be rezoned and the zoning of all parcels within three hundred (300) feet of the perimeter of the parcel(s). **Complete (see attached zoning map - Exhibit B)**
- c. The proposed zoning designation desired for the property. **Complete**
- d. A statement as to why the property cannot be used or developed as zoned. **See Exhibit A**
- e. A statement as to why the requested zoning designation is more appropriate. **See Exhibit A**
- f. A statement as to how the requested zoning designation relates to the Village of Lake Orion Master Plan. **See Exhibit A**
- g. A legal description of the property proposed to be rezoned. **See Exhibit B and attached site plan**
- h. Proof of ownership and authorization of the owner to rezone the property. **See Exhibit C**

Text Amendment: A petition for a text amendment shall contain, at a minimum, the name, address, phone number, and signature of petitioner. Please submit **15 copies each:** of the Full Text of Current Article, Section, and/or Paragraph of the Zoning Ordinance that is proposed to be amended; a Statement as to why the proposed amendment is needed; the proposed full text of the article, section, and/or paragraph that is being submitted for amendment.

VILLAGE STAFF USE ONLY - DO NOT WRITE BELOW

Village of Lake Orion Zoning Map/Text Amendment Permit Worksheet

Reviewed by: _____ Date: _____ Parcel #: _____

Proof of Ownership Verified using: _____ Owner Signature(s): Yes / No

Plot Plan Copies Included: _____ Proposed Zoning Designation: _____ Statements: _____

Legal Description: _____

Village Fee: _____ Planner Escrow Fee: _____ Attorney Escrow Fee: _____

Date to Village Clerk _____ Date to Planning Commission: _____ Date to Village Council: _____

Is Subject Property Adjacent to Different Zoning Districts? Yes / No If Yes, explain: _____

Staked Survey or Additional Information Required: _____

Approval by: Zoning Administrator BZA PC VC

Remarks: _____

EXHIBIT A

STATEMENTS

Please refer to the following pages for:

- A statement as to why the property cannot be used or developed as zoned.
- A statement as to why the requested zoning designation is more appropriate.
- A statement as to how the requested zoning designation relates to the Village of Lake Orion Master Plan.

August 6, 2024

Petitioner:

Kyle J. Westberg
79 Oakland Ave.
Pontiac, MI 48342

Parcel ID No.:

90-02-403-020

Parcel Legal Description:

Located on attached page and civil drawing.

Current Zoning:

Parcel ID above is zoned RV – Village Single Family Residential

- Property adjacent to the North side of the subject property was recently rezoned RM – Multiple Family Residential.
- Property adjacent to the West side of the subject property is zoned RM – Multiple Family Residential.
- Properties on the East and South side of subject property is zoned RV

Proposed Zoning:

RM - Multiple Family Residential

Statements:

Please refer to the following statements to help support this application for a zoning amendment:

1. Statement on Why the Property Cannot Be Used or Developed as Zoned (RV - Village Single Family Residential)

The property located at 315 N. Lapeer Street, Lake Orion, MI 48362, currently zoned as RV - Village Single Family Residential, cannot be viably developed under this designation for several reasons:

- **Existing Structure Limitations:** The current building, originally constructed in the 1940s and remodeled in 1967, was used as a school and later as the administrative offices for the Lake Orion Community Schools. The building does not meet modern standards for a residential structure and would require significant renovation to be repurposed.
- **Economic Considerations:** The cost of renovating the existing structure or demolishing it and constructing new single-family homes would not be economically viable. The 1.6-acre parcel size limits the potential number of single-family homes that can be built, which would not provide a sufficient return on investment for developers.
- **Community Needs and Usage:** The current use as an administrative office highlights the community's need for more diversified property usage. The administrative offices are relocating due to inadequate facilities, further indicating that the current zoning does not align with the practical needs of the area.

2. Statement on Why the Requested Zoning Designation (RM - Multiple Family Residential) Is More Appropriate

The requested rezoning to RM - Multiple Family Residential is more appropriate for the following reasons:

- **Alignment with Surrounding Properties:** The properties adjacent to the west and north of the site are already zoned RM - Multiple Family Residential. Rezoning this parcel would create a more cohesive and consistent zoning landscape, facilitating better urban planning and development.
- **Better Utilization of Space:** The RM zoning designation would allow for the construction of multiple family dwellings, which can accommodate more residents and provide a wider variety of housing options. This is a more efficient use of the available land, addressing the housing needs of the community more effectively than single-family residences.
- **Economic Viability:** Developing the site for multiple family residences provides a more feasible investment opportunity. The density and potential for multiple units would allow developers to recoup their investments and contribute to the local economy.

3. Statement on How the Requested Zoning Designation Relates to the Village of Lake Orion Master Plan

The proposed RM - Multiple Family Residential zoning designation supports the Village of Lake Orion Master Plan by:

- **Alignment with Master Plan Objectives:** The Master Plan emphasizes creating a diverse housing stock that can accommodate various income levels, family sizes, and lifestyle preferences. In fact, the *Lake Orion Master Plan – 2022 Amendment emphasizes that the Future Land Use of this parcel should be designated as Multiple-Family Residential (see exhibit D attached).* Rezoning to RM facilitates this by allowing the development of multiple family residences, thus contributing to a balanced and comprehensive housing strategy.
- **Support for "Missing Middle Housing":** The "Missing Middle Housing" concept addresses the need for a range of housing types that fall between single-family homes and large apartment complexes. This type of housing includes duplexes, triplexes, townhouses, and other forms of multi-unit residences. The proposed RM zoning will enable the development of such housing, which is crucial for providing affordable, diverse living options. This variety of housing sizes and styles will be attractive to a broad spectrum of potential residents, including young professionals, families, and retirees, thereby supporting a vibrant and inclusive community.
- **Enhancing Community Cohesion:** The rezoning will create a more uniform and harmonious community fabric, enhancing the aesthetic and functional coherence of the area. This supports the Master Plan's objectives of creating well-integrated neighborhoods that provide a high quality of life for residents.

This request to rezone the property from RV to RM not only meets the practical and economic realities but also aligns with the broader planning and development goals of the Village of Lake Orion, fostering a more inclusive and vibrant community. Therefore, with these facts stated, we would respectfully request the Zoning Map be amended to change the zoning of this parcel from RV – Village Single Family Residential to RM – Multiple Family Residential.

Sincerely,

Kyle J. Westberg
Petitioner

EXHIBIT B

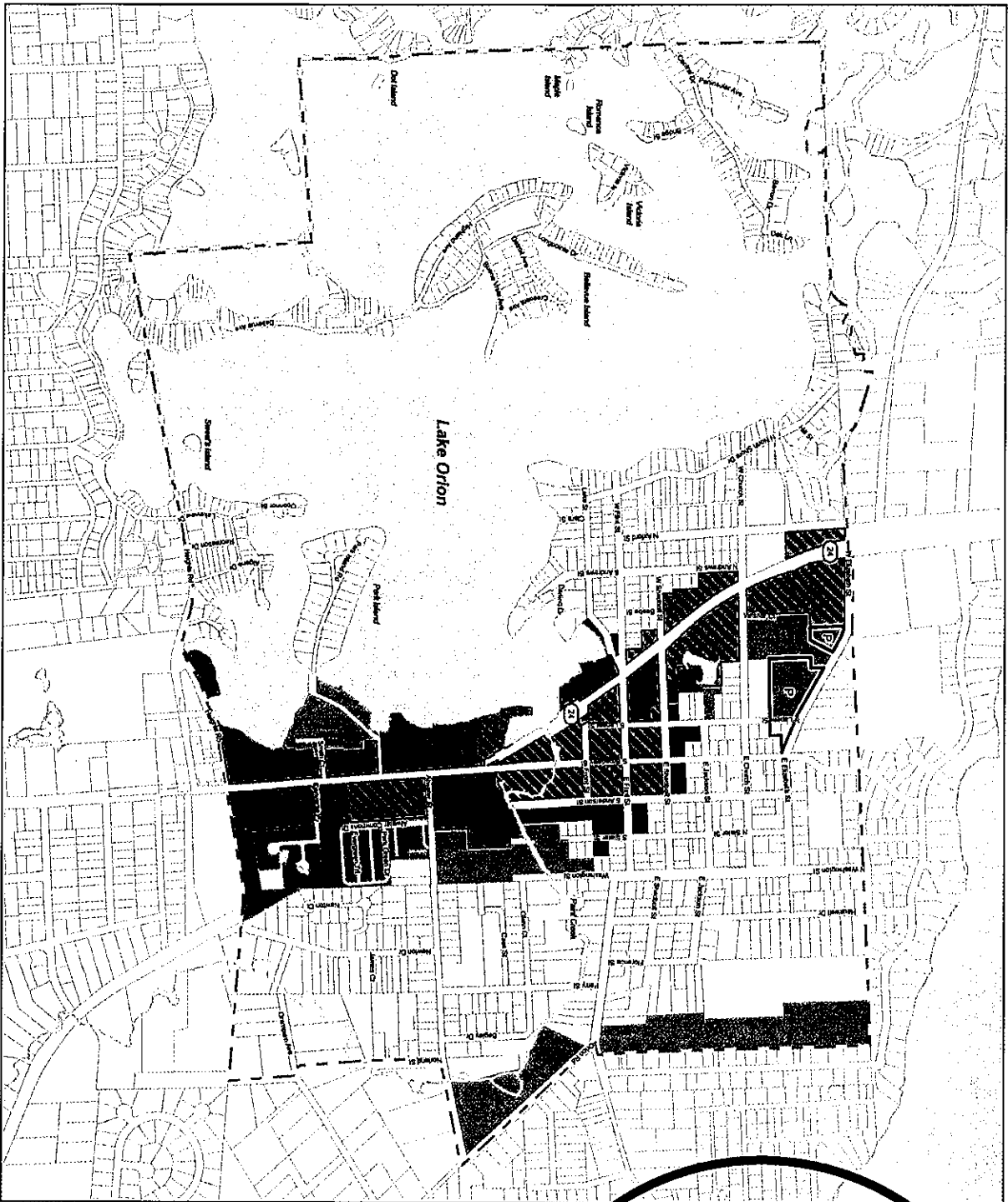
LEGAL DESCRIPTION OF THE LAND

Property situated in the Village of Lake Orion, County of Oakland, State of Michigan, more particularly described as follows:

Part of Lot 10 and all of Lot 11 of Supervisor's Plat No. 8, according to the Plat thereof as recorded in Liber 14 of Plats, Page 58, which is described as beginning at the Southeast corner of said Lot 11, thence North 89 degrees, 15 minutes, 57 seconds West 438.53 feet, thence North 00 degrees, 02 minutes, 14 seconds East 161.78 feet, thence South 89 degrees, 15 minutes, 57 seconds East 438.88 feet, thence South 00 degrees, 02 minutes, 49 seconds West 161.78 feet to the point of beginning (the "Premises").

Oakland County Property Gateway Description

T4N, R10E, SEC 2 SUPERVISOR'S PLAT NO 8 PART OF LOT 10, ALSO ALL OF LOT 11 ALL DESC AS BEG AT SE COR OF SD LOT 11, TH N 89-15-57 W 438.85 FT, TH N 00-02-14 E 161.78 FT, TH S 89-15-57 E 438.88 FT, TH S 00-02-49 W 161.78 FT TO BEG 11-29-01 FR 010 & 011



Zoning Map

Village of Lake Orion, Oakland County, MI

March 29, 2023

Zoning Districts:

- RV - Village Single Family Residential
- RL - Lake Single Family Residential
- RM - Multiple Family Residential
- CC - Corridor Commercial
- DC - Downtown Center
- MU - Mixed Use
- PUD - Planned Unit Development
- Height Overlay
- Approved Planned Unit Developments (PUD)

NOTE

The parcel lines on this map are a general representation of the actual parcel lines and are not intended to be substituted for an official survey or used to resolve boundary or area disputes. Consult official Village of Lake Orion records for precise delineations, boundaries and areas of parcels.

CERTIFICATION

I, Susan Galvez, Village Clerk, Village of Lake Orion, do hereby certify that this is a true copy of the map adopted by the Village Council of the Village of Lake Orion, Oakland County, Michigan, on (date) _____, as well as those amendments made as of the revision dates shown.

Susan Galvez, Clerk, Village of Lake Orion

Date	Revised	Date	Revised	Date	Revised	Date	Revised



Planning Source: Mapping Center for Geographic Information, Version 17x
Data Source: Village of Lake Orion 2023, last revised 2023



EXHIBIT C

OWNERSHIP APPROVAL

Proof of ownership and authorization of the owner to rezone the property.

- Attached Residential Property Profile from Oakland County as proof of ownership.
- Attached authorization letter from owner to rezone the property.

315 N LAPEER ST LAKE ORION MI 48362-3165



beds / full baths / half baths / sq ft

Residential Property Profile

09-02-403-020

Note: Please be advised the data included in Property Gateway originates from multiple local municipalities. Data, in regard to properties, may be classified and updated differently by municipalities. If you have any questions, please contact the local community where the data originated.

Owner Information

Owner(s) : LAKE ORION COMMUNITY SCHOOLS & SCHOOL DISTRICT 3 FRC
Postal Address : 315 N LAPEER ST LAKE ORION MI 48362-3165

Location Information

Site Address : 315 N LAPEER ST LAKE ORION MI 48362-3165
PIN : 09-02-403-020 Neighborhood Code : EXEMT
Municipality : Village of Lake Orion
School District : 63230 LAKE ORION COMMUNITY SCHOOLS
Class Code : 401 Residential - Improved

Property Description

T4N, R10E, SEC 2 SUPERVISOR'S PLAT NO 8 PART OF LOT 10, ALSO ALL OF LOT 11 ALL DESC AS BEG AT SE COR OF SD LOT 11, TH N 89-15-57 W 438.85 FT, TH N 00-02-14 E 161.78 FT, TH S 89-15-57 E 438.88 FT, TH S 00-02-49 W 161.78 FT TO BEG 11-29-01 FR 010 & 011

Split/Combination Information

Added Status : Added Parcel
Added Date : 11/30/2001 Added From : FR 010 & 011

No Sales Since 1994

Tax Information

Taxable Value : State Equalized Value :
Current Assessed Value : Capped Value :
Effective Date For Taxes : 12/01/2023 Principal Residence : N/A
Exemption Type
Summer Principal : 0% Winter Principal Residence : 0%
Residence Exemption Exemption Percent
Percent
2023 Taxes 2024 Taxes
Summer : \$0.00 Summer : \$0.00
Winter : \$0.00 Winter :
Village : \$0.00 Village : \$0.00

Lot Information

Description : Area : 1.612 ACRES



Lake
Orion
Community
Schools

Lake Orion Community Schools

Administration Building
315 N. Lapeer Street, Lake Orion, MI 48362

Phone: 248 • 693 • 5400

Fax: 248 • 693 • 5464

Heidi Mercer
Superintendent

Andrea Curtis
Assistant Superintendent
of Business and Finance

Vacant
Assistant Superintendent
of Teaching and Learning

Adam Weldon
Assistant Superintendent
of Human Resources

August 7, 2024

Village of Lake Orion
21 East Church Street
Lake Orion, MI 48362-3212

To whom it concern:

As current owners of 315 N Lapeer Street, Lake Orion, MI 48362, we authorize rezoning of the property based on our executed Offer To Purchase agreement with West Investment Group, LLC.

West Investment Group, LLC is requesting to rezone the property from RV-Village Single Family Residential to RM-Multiple Family Residential.

Lake Orion Community Schools intends to occupy and operate in the location's building through September 1, 2025, after closing as permitted by the Offer To Purchase. In the event, the sale does not close for any reason whatsoever, the new zoning shall not take effect and the property shall revert to the original zoning.

Sincerely,

Heidi Mercer
Superintendent
Lake Orion Community Schools



Nationally Recognized for its
Exemplary Blue Ribbon Schools

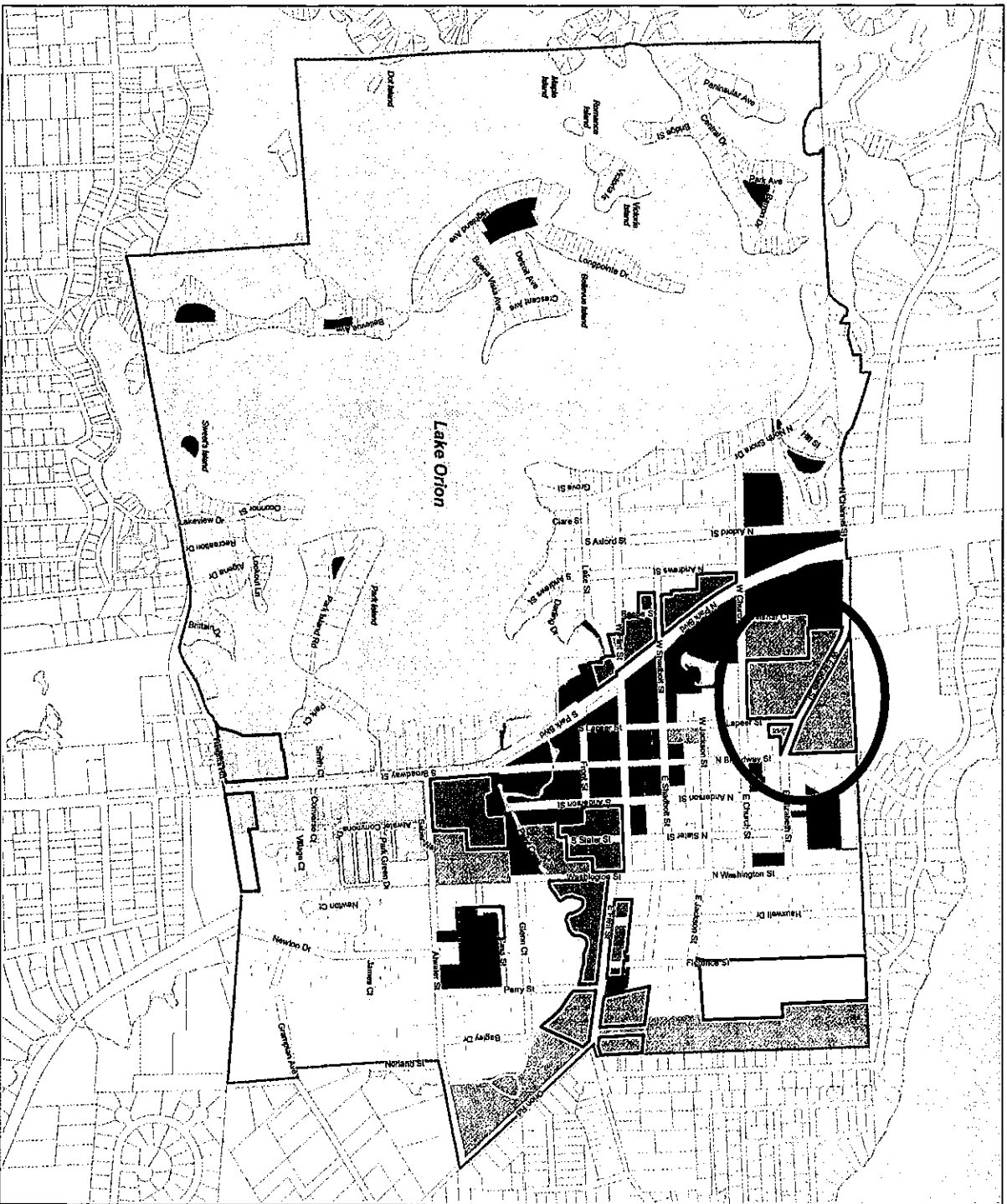


EXHIBIT D

FUTURE LAND USE

Maps indicating future land use for parcel 90-02-403-020 as suggested by the Lake Orion Master Plan - 2022 Amendment.

- February 7, 2022 – Approved by Village Planning Commission.
- February 28, 2022 – Adopted by Village Council.



Future Land Use

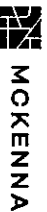
Village of Lake Orion, Oakland County, MI

February 7, 2022 - Approved by Village Planning Commission
 February 28, 2022 - Adopted by Village Council

- LEGEND**
- Village Boundary
 - Lakes and Rivers
 - Character Change Areas
 - Future Land Use Category**
 - Lake Single-Family Residential
 - Village Single-Family Residential
 - Multiple-Family Residential
 - Corridor Commercial
 - Mixed Use: Downtown
 - Mixed Use: Transition
 - Mixed Use: M-24 Corridor
 - Civil/Institutional/Recreation and Open Space



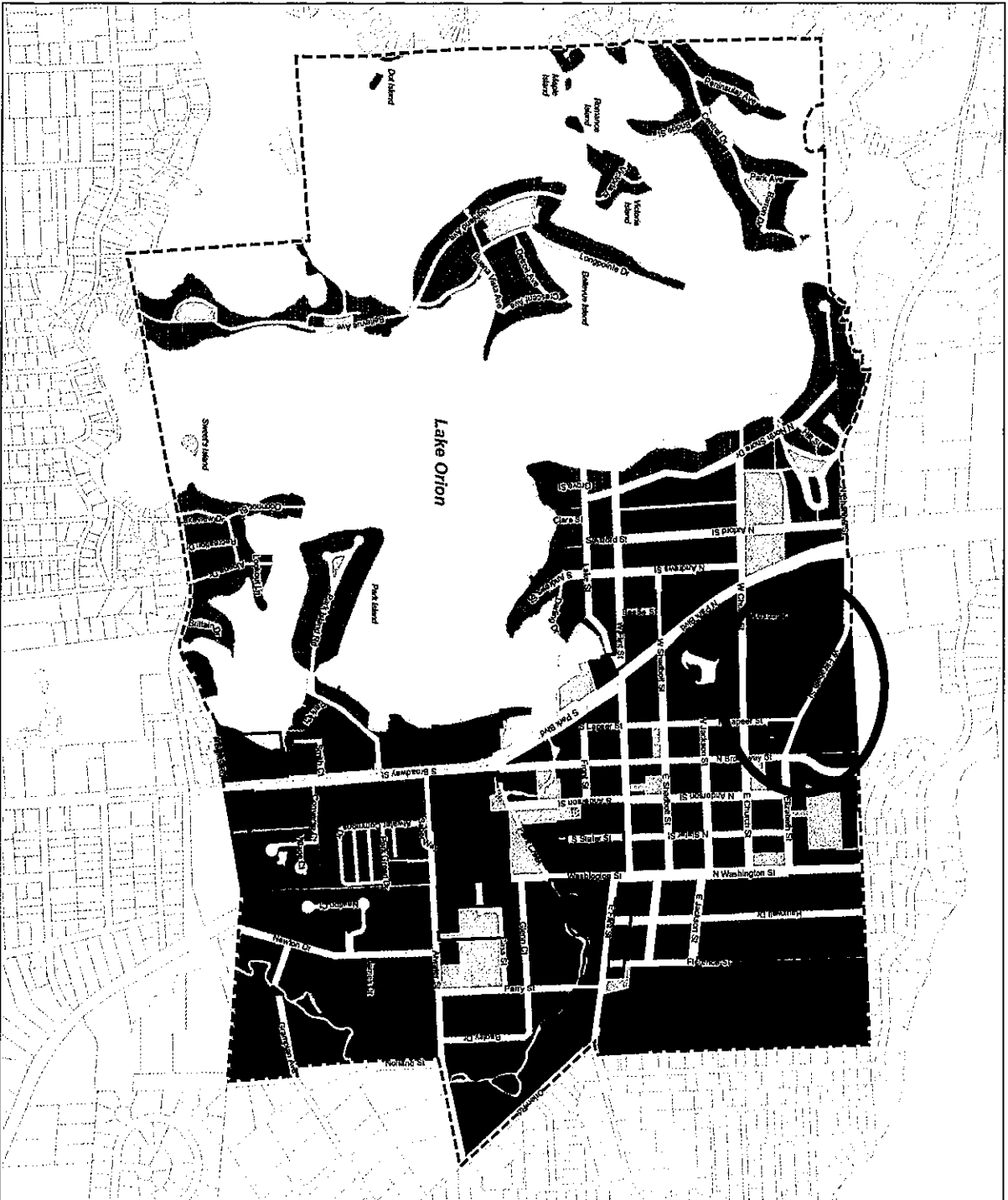
Mapmaking Source: Mapbox.com for Geographic Information, Version 17x
 Data Source: Village of Lake Orion 2021, Mckenna 2021.



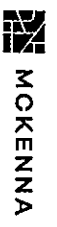
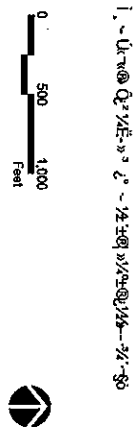
Future Land Use

Village of Lake Orion, Oakland County, MI

February 7, 2022. Approved by Village Planning Commission February 28, 2022. Adopted by Village Council.



- LEGEND**
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 - Mixed Use: Downtown
 - Mixed Use: Transition
 - Mixed Use: M-24 Corridor
 - Civil/Institutional/Recreation and Open Space



Planning Source: Maplogix Center for Geographic Information, Version 17x
Data Source: Village of Lake Orion 2021, Esri/arcgis.com 2021.

VILLAGE OF LAKE ORION
21 E. CHURCH ST.
LAKE ORION, MI 48362
Phone : (248) 693-8391
LAKEORION.ORG

Received From: KYLE WESTBERG
BRENT WESTBERG
Date: 08/08/2024 Time: 2:49:10 PM
Receipt: 45534 *** REPRINT ***
Cashier: HEDRICKC

REZONING FOR 315 N LAPEER RD
SCHOOL ADMIN BUILDING

ITEM REFERENCE	AMOUNT
315NLAP 315 N LAPEER	
315 N LAPEER	\$1,000.00
APPL FEE APPLICATION FEE	
1 @ \$25.00 APPLICATION FEE	\$25.00
TOTAL	\$1,025.00
CHECK 2227	\$1,025.00
Total Tendered:	\$1,025.00
Change:	\$0.00